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RDML ADRIAN J. JANSEN ADVERSE INFORMATION BINDER

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**TRANSCRIPT OF NAVAL SERVICE FOR
REAR ADMIRAL (LOWER HALF) ADRIAN JOHAN JANSEN
U.S. NAVY**

25 DEC 1984 Ensign
25 DEC 1986 Lieutenant (junior grade)
01 JAN 1989 Lieutenant
01 JUN 1995 Lieutenant Commander
01 MAR 2000 Commander
01 SEP 2006 Captain
01 OCT 2013 Rear Admiral (lower half), Service
continuous to date



ASSIGNMENTS AND DUTIES

	FROM	TO
Surface Warfare Officers School Command Detachment Coronado, San Diego, CA (DUINS)	JAN 1985	MAY 1985
USS CONSTELLATION (CV 64) (Fuels Officer)	JUN 1985	FEB 1988
Defense Language Institute, Monterey, CA (Student)	FEB 1988	APR 1988
Defense Attaché Office, The Hague, Netherlands (Personnel Exchange Program)	MAY 1988	OCT 1990
Naval Postgraduate School, Monterey, CA (Student)	OCT 1990	MAR 1993
Surface Warfare Officers School Command Newport, RI (DUINS)	MAR 1993	OCT 1993
USS ESSEX (LHD 2) (Main Propulsion Assistant)	NOV 1993	MAY 1995
USS JUNEAU (LPD 10) (Chief Engineer)	JUN 1995	MAY 1997
XO, USS CLEVELAND (LPD 7)	MAY 1997	OCT 1998
Office of the Chief of Naval Operations (Surface and Expeditionary Warfare Training, Amphibious/ Littoral Warfare Requirements Officer and Training Budget Analyst) (N869)	NOV 1998	AUG 2000
Industrial College of the Armed Forces (Student)	AUG 2000	JUN 2001
Surface Warfare Officers School Command Newport, RI (DUINS)	JUL 2001	NOV 2001
CO, USS FORT MCHENRY (LSD 43)	DEC 2001	AUG 2003
Commander, Amphibious Group THREE, San Diego, CA (TAD)	AUG 2003	NOV 2003
XO, USS BOXER (LHD 4)	DEC 2003	SEP 2005

**TRANSCRIPT OF NAVAL SERVICE FOR
REAR ADMIRAL (LOWER HALF) ADRIAN JOHAN JANSEN
U.S. NAVY**

<u>ASSIGNMENTS AND DUTIES (CONT'D)</u>	<u>FROM</u>	<u>TO</u>
Office of the Deputy Assistant Secretary of Defense for Policy Planning (Military Assistant)	OCT 2005	AUG 2007
Office of the Chief of Naval Operations for Expeditionary Warfare (Executive Assistant) (N85)	SEP 2007	APR 2009
Defense Intelligence Agency (DUINS)	APR 2009	JUN 2010
Naval Attaché, Jakarta, Indonesia	JUL 2010	JUL 2013
Defense Intelligence Agency (Special Assistant)	JUL 2013	JUN 2015
Senior Defense Official/Defense Attaché – Beijing	JUN 2015	JUN 2016
Special Assistant to Commander, Navy Installations Command	JUN 2016	TO DATE

MEDALS AND AWARDS

Defense Superior Service Medal	Armed Forces Expeditionary Medal
Legion of Merit	Southwest Asia Medal
Meritorious Service Medal with three Gold Stars	Global War on Terrorism Expeditionary Medal
Navy and Marine Corps Commendation Medal with one Gold Star	Global War on Terrorism Service Medal
Navy and Marine Corps Achievement Medal	Sea Service Deployment Ribbon with one Silver Star and two Bronze Stars
Meritorious Unit Commendation with two Bronze Stars	Navy and Marine Corps Overseas Service Ribbon with two Bronze Stars
Navy "E" Ribbon	Philippine Presidential Unit Citation
Navy Expeditionary Medal	
National Defense Service Medal with two Bronze Stars	

SPECIAL QUALIFICATIONS

BA (Political Science) University of California, 1984
 MS (Mechanical Engineering) Naval Postgraduate School, 1993
 MS (National Security Strategy) Industrial College of the Armed Forces, 2001
 Designated Surface Warfare Officer, 1987
 Designated Joint Specialty Officer, 2008
 Designated Special Duty Officer (Foreign Area), 2008
 CAPSTONE 2014-4

FOREIGN LANGUAGES

Dutch	Mandarin
German	Indonesian

**TRANSCRIPT OF NAVAL SERVICE FOR
REAR ADMIRAL (LOWER HALF) ADRIAN JOHAN JANSEN
U.S. NAVY**

SUMMARY OF JOINT DUTY ASSIGNMENTS

<u>Assignment</u>	<u>Dates</u>	<u>Rank</u>
Office of the Deputy Assistant Secretary of Defense for Policy Planning (Military Assistant)	OCT 05 – AUG 07	CDR/ CAPT
Senior Defense Official/Defense Attaché – Beijing	JUN 15 – JUN 16	RDML

**TRANSCRIPT OF NAVAL SERVICE FOR
REAR ADMIRAL (LOWER HALF) ADRIAN JOHAN JANSEN
U.S. NAVY**

As of 16 October 2017

Years of active commissioned service: 32

Date of birth: (b)(6), (b)(7)(C)

Mandatory retirement date for age: (b)(6), (b)(7)(C)

Mandatory retirement date of years of service: 1 January 2015

Mandatory retirement for service - in - grade: 1 November 2018

ADVERSE INFORMATION SUMMARY

Grade/Name/Service/Component: RDML Adrian J. Jansen, USN

What he or she did: RDML Jansen's name appeared in the course of the federal investigation into matters associated with Glenn Defense Marine Asia (GDMA). The Consolidated Disposition Authority (CDA) for the GDMA matter investigated allegations relating to RDML Adrian J. Jansen's conduct while serving as Naval Attaché to Indonesia from 2010 through 2013.

Investigating Agency: Naval Criminal Investigative Service (NCIS), Department of Justice, and the CDA for the GDMA matter.

Findings: On February 10, 2017, the CDA found that then-CAPT Jansen improperly accepted gifts from GDMA and Mr. Leonard Francis, President of GDMA, and committed the offense of dereliction of duty as it related to reporting foreign contacts and gifts received, from on or about July 2010 to July 2013. Specifically, he wrongfully violated the Joint Ethics Regulation, a lawful order, when he accepted gifts from GDMA and Mr. Francis, a prohibited source, on December 7, 2011, October 20, 2012, and June 19, 2013. He wrongfully received dinners with a total value in excess of \$5,000, as well as expensive bottles of wine given to him at a private "farewell luncheon" hosted by Mr. Francis. He was negligently derelict in the performance of his duties in failing to report Mr. Francis as a foreign contact to appropriate officials and was willfully derelict in the performance of his duties when he failed to report gifts provided by GDMA and Mr. Francis.

Action Taken:

Service: On February 10, 2017, the CDA imposed non-judicial punishment (NJP) upon RDML Jansen and awarded him a punitive letter of reprimand and forfeiture of \$3,750 pay per month for two months. The Chief of Naval Personnel required RDML Jansen to show cause for retention before a board of inquiry (BOI) on the bases of misconduct and substandard performance. The BOI found that each basis for separation was met and recommended separation with an honorable characterization of service.

OSD: The Under Secretary of Defense for Personnel and Readiness (USD (P&R)) and the General Counsel of the Department of Defense (GC, DoD) reviewed the summary of the incident. The USD (P&R) elected to support the retirement; the GC, DoD, asserted no legal objection to the retirement.

Reasons for Support: As amended by section 509 of the National Defense Authorization Act for Fiscal Year 2019, section 1370 of title 10, U.S. Code provides that "[i]n the case of an officer or person whom the Secretary concerned determines committed misconduct in a lower grade, the Secretary concerned may determine the officer or person has not served satisfactorily in any grade equal to or higher than that lower grade." Based on RDML Jansen's limited service as a rear admiral (lower half), the findings of the CDA, the NJP and the BOI, and service as a captain for several years without misconduct, the Secretary of the Navy determined that the highest grade in which RDML Jansen served satisfactorily is that of captain. As such, retirement in the grade of captain is appropriate.



DEPARTMENT OF THE NAVY
CHIEF OF NAVAL PERSONNEL
701 SOUTH COURTHOUSE ROAD
ARLINGTON, VA 22204-2472

1920
P00F
24 Aug 18

From: Chief of Naval Personnel
To: Rear Admiral (lower half) Adrian J. Jansen, U.S. Navy
Subj: RETIREMENT GRADE DETERMINATION

Ref: (a) Your ltr of 10 Feb 17
(b) COMUSFLTFORCOM ltr 5812 Ser CDA/76 of 24 Feb 17 w/ ends
(c) NAVPERS 1626/7 of 27 Jan 17 (nonjudicial punishment package)
(d) Board of Inquiry Report ICO RDML Adrian J. Jansen, USN
(e) 10 U.S.C. § 1370, as amended by the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232, § 509
(f) DoD Instruction 1320.04 of 3 Jan 14
(g) SECNAVINST 1920.6C CH-5
(h) PERS-00F ltr 1920 Ser P00F of 13 Jun 17

Encl: (1) Acknowledgement of Receipt

1. I have reviewed your request to be transferred to the Retired List as a rear admiral (lower half) in reference (a). Based on my review, and the findings in references (b) through (d), I have determined that your retirement request must be forwarded to the Secretary of the Navy for a retirement grade determination in accordance with the procedures set forth in references (e) through (g).

2. Reference (h), which notified you of administrative show cause proceedings, stated that a reduction in retirement grade would not be considered. Reference (e), however, now authorizes the Secretary of the Navy to determine that a retiring officer who committed misconduct in a lower grade has not served satisfactorily in any grade equal to or higher than that lower grade. Therefore, the findings in references (b) through (d), which substantiated misconduct on your part in the grade of captain, may result in you being retired in a lower grade. I am therefore forwarding your retirement request to the Secretary of the Navy for a retirement grade determination.

3. The factual basis on which the Secretary of the Navy will make his determination is contained in references (b) through (d). Reference (b) documents findings that you wrongfully

Subj: RETIREMENT GRADE DETERMINATION

accepted multiple gifts from Mr. Leonard Francis, the President of GDMA, a prohibited source, and that you committed the offense of dereliction of duty in failing to report those gifts and your contact with Mr. Francis. Reference (c) documents the nonjudicial punishment that was imposed on 10 February 2017. Reference (d) documents the findings of a Board of Inquiry, convened on 19 September 2017, that the preponderance of evidence in your case supported both separation by reason of misconduct and separation by reason of substandard performance.

4. Based on my review of references (b) through (d), I intend to recommend to the Secretary of the Navy that you be retired in the grade of commander pursuant to references (e) and (g).

5. You are afforded the following rights regarding this recommendation:

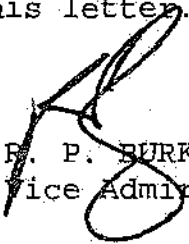
a. You have the right to confer with a judge advocate concerning this matter.

b. You have the right to confer with civilian counsel at your own expense. This right shall in no way be allowed to delay the orderly processing of this recommendation.

c. You may submit a statement or decline to make a statement.

d. You may request copies of the documents that are forwarded to the Secretary. Classified documents may be summarized.

6. You are directed to acknowledge receipt of this notification and to designate your election of rights in enclosure (1). Enclosure (1) and any statements you wish to submit should be addressed to the Chief of Naval Personnel (POOF), 701 S. Courthouse Road, Room 4R075, Arlington, VA 22202. In addition, please email your acknowledgment and any statements to (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) Any statements or information you wish to provide must be submitted within 10 calendar days of receipt of this letter.


R. P. BURKE
Vice Admiral, U.S. Navy

From: Rear Admiral (lower half) Adrian J. Jansen, U.S. Navy
To: Chief of Naval Personnel

Subj: RETIREMENT GRADE DETERMINATION

Ref: (a) CNP ltr 1920 P00F of 24 Aug 18
(b) COMUSFLTFORCOM ltr 5812 Ser CDA/76 of 24 Feb 17 w/
ends
(c) NAVPERS 1626/7 of 27 Jan 17 (nonjudicial punishment
package)
(d) Board of Inquiry Report ICO RDML Adrian J. Jansen,
USN

1. I acknowledge receipt of reference (a) informing me of the pending retirement grade determination by the Secretary of the Navy (SECNAV).
2. I understand that references (b) through (d) contain the factual basis for this retirement grade determination; that you are recommending to the SECNAV that I be retired in the grade of commander; that I have a right to confer with counsel; that I have the right to be provided copies of the documents to be forwarded to the SECNAV; that I have the right to submit a statement for consideration by the SECNAV with respect to my retirement grade within 10 calendar days of my receipt of reference (a) and that my failure to respond shall constitute a waiver of my right to submit such a statement; that you will forward my statement, if timely submitted, and references (b) and (d) to the SECNAV via the Chief of Naval Operations; and that the final determination of my retirement grade rests exclusively with the SECNAV.
3. I (do) (do not) desire to submit a statement to the SECNAV.
4. I (do) (do not) desire to confer with a judge advocate concerning this matter.
5. I (do) (do not) desire to consult with civilian counsel at my own expense. I understand that the processing of my case shall not be delayed to await the availability of such civilian counsel.
6. I (do) (do not) desire to be provided copies of the documents to be forwarded to the Secretary. Any classified documents may be summarized.


A. J. JANSEN

September 3, 2018

From: Rear Admiral (lower half) Adrian J. Jansen, U.S. Navy
To: Chief of Naval Personnel (P00F), 701 S. Courthouse Rd., Room 4R075, Arlington, VA 22202

Copy also sent via email to:

(b)(6), (b)(7)(C)

Subj: RETIREMENT GRADE DETERMINATION

Ref: (a) CNP letter 1920, P00F, 24 Aug 18
(b) RDML Jansen request for extension of time, 30 Aug 18
(c) Denial of request for extension of time, 30 Aug 18

Encls: See the list of enclosures following the signature page

1. This letter and Enclosures 1. – 7. contain my acknowledgement of receipt and response to the notification of an intent to recommend to the Secretary of the Navy that I be retired in the grade of Commander/O-5, a two pay-grade reduction from my current paygrade of Rear Admiral (lower half)/O-7. By Reference (b) I requested a one-week extension of time to submit my response to Reference (a) and, by Reference (c), my request was denied. I respectfully disagree with that recommendation and request to be retired in my current paygrade. In support of my request I offer the following substantiating information both as to the substantive determination that I have served satisfactorily at my current paygrade and procedurally in that I have relied upon certain previous statements and determinations made by the Navy regarding my retirement paygrade.

2. At the outset, I recognize and appreciate that the 2019 National Defense Authorization Act (NDAA) has authorized a recent revision to and expansion of the authority of the Secretary of the Navy to address misconduct and its impact on retirement grade determinations. I believe this new authority was in response to a service secretary's inability to be able to apply meaningful punishment or administrative action to those officers whose substantiated misconduct occurred well after the time limits for such secretarial action to occur and not meant to be applied when a service secretary had meaningful measures he could impose but did not use. For this, and other reasons further explained below, I submit that the application of this authority to my situation is both inappropriate and unjust. I similarly recognize and appreciate that the embarrassment the Department of the Navy has experienced as a result of the totality of the Glen Defense Marine Asia (GDMA) cases has been extreme. I understand that there may well be pressure to send a message that misconduct will not be tolerated at any paygrade and, most especially, by those at the highest paygrade. This statutory authority is new, enacted well after any conduct or behavior alleged against me or that I may have committed, and I understand that as an officer retiring at the end of the first month of this new authority there may be an impetus to send a message now. I respectfully submit, however, that the actual facts in my particular case do not support a retirement grade reduction. Rather, I submit that the facts of my case demonstrate that the unprecedented punishment already imposed upon me is far graver than has been imposed on all other flag officers involved in the GDMA case that have been adjudicated thus far. See

Enclosure 2¹ The proposed reduction to me exceeds the punishment imposed on a number of individuals, who actually engaged in graft and/or corruption. The additional administrative punishment of a retirement grade reduction to me would be both unjust and disproportionate in this case. Additionally, utilizing a Congressional enactment signed into law well after any of the events in my case would be an improper ex post facto imposition of punishment and subject the Navy to additional public scrutiny of the disposition of all these cases and years of civil litigation to resolve this injustice. Imposing such punishment would also be beyond the scope of what was considered and agreed upon by all parties in negotiations which led to my accepting nonjudicial punishment without the possibility of filing an appeal of such punishment. In addition to what I believe is a misapplication of the intent of NDAA, I believe the Navy being bound to the agreements reached in my case, waived its right to impose NDAA as it would constitute a breach of the agreement. This action would result in the imposition of a punishment not even contemplated at the time of either my commission of any misconduct or the imposition of punishment for such conduct. If this reduction is pursued I will be left with no other option but to pursue legal options in Federal Claims Court to remedy this injustice.

As a Military Attaché, my role in the U.S. Embassy was first and foremost as an Intelligence Collector. Secondly, my role was military diplomat. It was incumbent upon me to establish relationships that would provide opportunities to gain access to people who could be exploited to either give me information; connect me to people who could give me information; or, who could influence decision makers to make decisions in favor of U.S. Navy access to the host nation. GDMA operated in Indonesia not only for the purpose of supporting U.S. Navy activities but also other foreign navies whose activities were of interest to the Defense Intelligence Agency (DIA) and the Office of Naval Intelligence (ONI). Additionally, the Vice President of GDMA Operations in Indonesia was a retired Indonesian Vice Admiral whose favor was useful in influencing other Indonesian Navy Leaders. I used GDMA to help me do my job for the United States. In that regard, I operated with GDMA as I did every other useful contact, the principal difference, and one that I have accepted complete responsibility for not appreciating at the time of my misconduct, was that GDMA was a prohibited source. While I greatly appreciate those distinctions today and accept full responsibility for my conduct, I acknowledge that at that time I failed professionally in that I should have reported my contact with Leonard Francis to my superiors at DIA so that they were aware of what I was doing. I did not do that. I have acknowledged that failure in my letter to Commander, Fleet Forces Command (CFCC) dated 13 Feb 2017, enclosure 3.

It should also be understood, that in my interaction with Leonard Francis, I never once engaged in any kind of "quid pro quo" negotiation or action. Barring any felonious and self-serving statements made by Francis to the contrary, there is no corroborating evidence that shows I was ever asked by him to do anything for him or his company, or that I ever asked him to do anything for me. Unlike all the other Flag Officers and individuals involved in this case that I am aware of, other than the four meals and two bottles of wine, I received nothing of value from Leonard Francis or GDMA. Excluding the value of those meals and wine, there was no personal gain of any kind. In my case as a Military Attaché, if I had only informed my superiors that I

¹ Due to the short time period provided to respond to the Retirement Grade Determination letter this enclosure does not contain completely updated data, although it does provide a basic outline of each individual's behavior and case processing.

was exploiting GDMA for my intelligence collection purposes, I believe that this whole case against me would have been dismissed. I very much regret that failure on my part. That failure, however, simply does not equate to or justify the additional punishment of a retirement grade reduction, especially a reduction of two paygrades. Such a retirement grade reduction would focus solely upon my receipt of and failure to report these four meals and two bottles of wine, and exclude any consideration at all of my otherwise exceptional and honorable twelve years of service as a Captain (7 years) and Flag Officer (5 years). See Enclosures 4.a. - 4.n. for my relevant Performance Evaluations for those periods of time.

I respectfully submit that my actual misconduct effectively consists of receiving four meals and two bottles of wine, the actual values of which have never been fully identified; and, of which I did not properly report as gratuities from a prohibited source. Additionally, I failed to report my contact with Leonard Francis which I had an obligation to do. I submit that a permanent reduction of two paygrades, with associated loss of retirement income, would be grossly disproportionate to both the offenses, and would be a grossly disproportionate penalty for the misconduct I have acknowledged. I have already been awarded severe punishment in this case: to include: a lifetime public embarrassment which I continue to experience, a punitive letter of reprimand that has tarnished an otherwise superlative career, and a \$7,500.00 forfeiture of pay. The total economic impact (administrative punishment) of a two paygrade retirement grade reduction would be (based upon a life expectancy of 28 years as a retiree) an additional estimate of \$400,000 loss of income as a Captain/O-6 and \$1,100,000 loss of income as a Commander/O-5 over the course of my lifetime.² I respectfully submit that when balanced against my overall exceptionally meritorious conduct, over both my years of service as a Captain and Rear Admiral, as well as the entirety of my military career, even when taking into consideration my conduct, simply does not justify an additional monetary punishment of between \$400,000 and \$1,100,000. I do not believe any Federal Court would impose such a punishment under these circumstances - especially on top of the punishment already imposed against me.

3. The only discrepancy/misconduct under consideration in this matter involves accepting and failing to report four meals and two bottles of wine, failure to report same, and failure to report contact with Leonard Francis. There is no other misconduct. Despite my repeated requests for specificity of the cost/expense/value of those specific items, the only "evidence" provided was credit card statements for total expenses - not broken down by items, and with no specificity of what the total expenses covered by those credit card payments happen to be; and the statement from Francis Leonard that the two bottles of wine were "expensive."

I served for 3 years as the Naval Attaché to Indonesia, and over the course of that tour, attended countless dinners no different in manner or degree from the four meals for which I was punished at NJP. There was nothing about any of those meals that appeared different in any significant way or expense than any of the other, literally countless, meals that I attended and consumed during my otherwise spotless assignment. The ONLY difference was that these four meals were provided by a defense contractor - Leonard Francis - a "prohibited source" as regards those gratuities. There is no evidence that would support any allegation of misconduct of improperly providing any benefit to Leonard Francis or GDMA.

² Estimated 28 years total retirement income as O-7: \$3,822,364; O-6: \$3,434,452; and O-5: \$2,747,808.

4. Appreciating that there is no mathematical or scientific formula for determinations of satisfactory service in grade, it is submitted that in determining whether my service in grade is satisfactory for purposes of retirement grade determinations, that a review of my service as both a Captain and Rear Admiral (lower half), based upon both quantitative and qualitative considerations; taking into account both acts and omissions during those years of service; and taking into account service in both my current and prior grade (the misconduct occurred while serving in paygrade O-6) all support my retirement as a Read Admiral (lower half)/O-7.

5. It is difficult to come to any conclusion other than the Navy has specifically and deliberately delayed action in the processing of my case and retirement specifically to add the additional punishment of a two pay-grade retirement grade reduction. This conclusion is clear from the chronology of the processing of my case.

When I returned to the U.S. from Indonesia, I immediately returned to attaché training, after completing a Counter Intelligence Polygraph, I was cleared to commence training. I immediately commenced language training and continued that for the next two years. The week prior to my PCS to Beijing to assume duties as defense attaché, I was requested by NCIS to account for my activities in Indonesia as they related to GDMA. I was forthright regarding my relationship with Leonard Francis. I acknowledged that I had allowed Mr. Francis to buy me four meals and gave me two bottles of wine. I had no specifics as to the cost of the meals or the wine and acknowledged the costs may have exceeded what was permissible under JER guidelines. I was also very clear that I never engaged in any kind of "quid pro quo" relationship with Mr. Francis. Lastly I was very clear that I never made on behalf of Mr. Francis, any official or unofficial request that was solely for his benefit.

My error here was two-fold. First, I never sought out official guidance from my superiors at DIA for the activity I was engaged in. If they were aware of what I was doing, they either could have sanctioned what I was doing, or at least they could have curtailed me from engaging with Mr. Francis. Secondly, without fully being aware of what my duties were and what controls were in place, one could construe that every ship visit to Indonesia was at the behest of Mr. Francis. The facts are that every ship visit to Indonesia was planned and ordered by the fleet commanders and while my input might have been useful, it was not required to make the execution decisions that were made.

After my interview with NCIS, I notified both the Director of Navy Intelligence (N2/N6), VADM Branch, the Director of the Attaché Service (DAS), SES Bill Clark, and the Director of DIA, LtGEN Vincent Stewart. I was told to carry on and execute my PCS. On 21 June 2015 I assumed the duties of the Defense Attaché Beijing, where I served just under one year. Approximately 10 June 2016, I was directed by the Director DAS to call the VCNO. VCNO informed me that because of my role with GDMA, I was being curtailed from assignment and detailed to the OPNAV staff.

Upon my assignment to OPNAV, I sought the assistance of legal counsel. I was assigned a Navy JAG officer who began the process of adjudicating this case. My legal counsel immediately engaged the Consolidated Disposition Authority (CDA), CFFC. My counsel was

informed that CDA desired that I waive my rights and accept NJP and forgo courts martial; to plead guilty at NJP for the specified charges; submit a retirement request to retire at grade O-6; and, that I would waive my rights to undergo a Board of Inquiry (BOI). I was informed that the CDA was considering preferring other serious charges and that my compliance was required to avoid the charges. I was shocked, angry, and would not agree. I fully acknowledge what I did do and, am certain of what I did not do – any other chargers could not be farther from the truth.

As the process wore on, I was ready to move on and retire. As I had already acknowledged that I was guilty of accepting the meals and wine, and based on the evidence that was presented to me, I was willing to agree to various conditions as required by the CDA and accepted the requirement for NJP.

NJP was conducted on 10 Feb 2017. Seven months had already passed and there was no sense to delay the process any longer. CDA conducted the NJP, and as agreed, I plead guilty to those offenses for which I already knew I was guilty. While the charges at NJP were clear, with the investigation severely lacking, the charges for the JER violations lacked dollar value specificity. While that amount is not important to know in regards to my acknowledgement of guilt, as any value amount over the limit is a violation, any attempt to quantify that amount without fact is deceptive. I have to assume the amount was omitted from the charges because there is no conclusive evidence as to what that amount is and hence one is unable to say that it reflects a preponderance of the evidence. My admission of guilt that I exceeded the JER limit, however, eliminates any doubt that the JER limit was exceeded. I was also charged with failure to report the gifts which I also plead guilty to, and I was charged for failure to report a foreign contact. I did not plead guilty to the last charge because I believed, and still believe, based on the training I received and the guidance as I know it, that I fulfilled my obligation as it pertained to the duties of a military attaché.

I deny that I failed to properly report my contacts with Francis Leonard and/or GDMA. There are different rules directing and dictating when contacts need to be reported, and I respectfully submit that I complied with the rules as they applied to me as a Naval Attaché. Paragraph 4.7 of Defense Intelligence Agency Instruction 5240.005, 28 Sep 2012 specifically provides:

4.7. DIA affiliates assigned to defense attaché office or who are in contact with foreign nationals processed by Reference (d) shall only report foreign contacts which:

- 4.7.1. Are not reported via another system per References (d) or (e);
- 4.7.2. Are close or continuous in nature; and
- 4.7.3. Occur once the attaché has rotated out of their defense attaché office assignment or the official visit is completed.

I respectfully submit that I fully complied with this regulation which was applicable to my assignment as the Naval Attaché during the period of time in question and that I have had no contact with either Francis Leonard or GDMA outside of that assignment.

See also 12 FAM 260 through 12 FAM 274, 29 Mar 2013, for additional relevant regulations applicable to my reporting requirement as a Naval Attaché. None of which, I respectfully submit, would require additional requirements substantiating that I failed to properly report Leonard Francis as a foreign contact.

At the conclusion of the NJP, the convening authority made two comments. One being something to the effect: "that this was the most egregious case I have adjudicated thus far." The other comment, implied implication of guilt for conduct not adjudicated in this case, for which I was not charged, and for which I did not do. There was no mention of any leniency or acknowledgement of my otherwise stellar career. Because the only misconduct for which I was punished relates to four meals, two bottles of wine, and failure to report the same, I can only conclude that the CDA actions are based upon unfounded conclusions that there must be some additional misconduct alleged but unprovable (because there are no facts) against me, and that I am being improperly punished as a result of those unfounded conclusions. As part of my requirement to submit my retirement request and surrender the End of Tour Award I received for my duties in Indonesia, I submitted to CFEC a statement acknowledging that I failed professionally as stated above in that I had an obligation to report Leonard Francis to my superiors at DIA and I failed to do that.

On 10 Feb 2017, the Navy released a Public Affairs announcement via the Navy News Service, regarding the NJP. Rather than reporting known facts of the case, the Navy announced that they believed the sum total for the meals I accepted was somewhere around \$5000, despite there being no specific evidence to support that valuation. That is not what the charges stated. That is not what I plead guilty to. Additionally, and despite the Navy Public Affairs factually incorrect press release, I have quietly and privately defended myself within the system and refrained from attempting to publicly criticize the Navy handling of my case.

In a letter dated 5 Apr 2017 from CNP, I was ordered to Show Cause. I was notified that the proceedings would require a BOI to determine whether misconduct had occurred, whether I should be retained in the Navy, and if not recommended for retention, what grade I should be retired at and what my characterization of service I should be.

On 13 Jun 2017, I received a phone call from Flag Matters, (b)(6), (b)(7)(C) who informed me that a decision regarding my retirement grade was made and that I would retire as a Rear Admiral. As such, I was informed that the CNP letter dated 5 April 2017 is cancelled and a new letter dated 13 June 2017 is issued regarding Show Cause order and that the BOI previously ordered would continue without the need for retirement grade determination.

On 4 Aug 2017, I received a letter from the White House addressed to Rear Admiral Adrian Jansen, USN (Ret). The letter, signed by President Trump, was sent congratulating me on my retirement. Enclosure 5.

Leading up to the BOI, the Board Recorder, in presenting her case to my counsel, provided additional information that had not been either presented to me or raised prior to forming my decision to enter into a disposition agreement with the CDA, nor presented or discussed at the NJP. This information was also not raised at the BOI, so I did not pursue it further.

On 19 September 2017, a BOI was convened at the Washington Navy Yard. At the board, the Chief of Naval Personnel's (CNP) Judge Advocate, acting as recorder, commenced the proceedings by declaring that a Retirement Grade Determination was not part of the proceedings and that I would be retired as a Rear Admiral. At the BOI I offered, in addition to other evidence, a number of character reference letters, which are provided with this response as Enclosures 6.a. – 6.f. At the conclusion of the BOI, by a vote of 3-0, the reported misconduct was substantiated. By a vote of 2-1, Retention was not recommended. By a Vote of 3-0, Characterization of Service for discharge was characterized as Honorable.

While patiently waiting for retirement approval, on 15 March 2018, a Military Times article was written questioning why RDML Jansen still has a Security Clearance. As a result of that article, the Navy initiated action, nearly 14 months after it was recommended by CFFC as a result of the NJP, for a review of my security clearance with intent to revoke the clearance. I was notified on 5 July 2017 that DODCAF intended to revoke my Security Clearance and I was required to respond to the Statement of Reasons if I wished to contest the process. On that same date, I received a note from Flag Matters that my retirement is imminent. After contacting (b)(6), (b)(7)(C) at Flag Matters, I was told to expect to retire no later than my Statutory Retirement date of 31 October 2018. Justice delayed is justice denied. In light of everything else that has transpired, and the three years that the Navy has taken to completely process my case, there was no logical reason to continue me in service until a 31 October 2018 retirement date other than a belief that the new statutory authority would be enacted, with an effective date of 1 October 2018, and that, by holding me in service until 31 October 2018, the Navy could ex post facto apply that authority to my case and effectuate a two-paygrade reduction at my retirement.

On 17 August 2018, SOR response to include enclosures 7.a-7.g were submitted to DODCAF via CNIC.


On 24 August 2018, CNP issued a letter indicating that because NDAA FY19 has changed the law empowering the Secretary of the Navy to review the Retirement Grade of Officers known to have conducted misconduct, allowing for retirement grade reductions, with less than 30 days between the law taking effect and my "now" known retirement date, he recommended I be retired as a Commander.

The military legal system has always found justice in addressing each offender as an individual and for the specific failures that individual may have committed, and not in punishing an individual for the actions of others. This system also allows for leniency and mitigation for exceptional performance when imposing punishment. I have no sense I have been afforded any leniency this case, but rather the opposite. Given the facts of this case, the errors and commissions have been properly and legally adjudicated, there is no basis to assume this case was unlike the other flag officer cases adjudicated thus far. There are no other facts that support other conclusions. I respectfully submit that the punishment and administrative actions imposed upon me thus far, exceeds that imposed on the others, to include the punishment imposed upon a repeat offender, a convicted felon, and a flag officer under federal indictment. I have fully admitted my guilt, acknowledged the mistakes, and accepted the punishment, without challenge.

The significance of this new statutory change, and the Navy's intent to capriciously apply it in ex post facto fashion to my retirement (even a request for a brief extension of time, submitted on 30 August 2018, was denied the same day) simply reflect a pattern of denial of basic rights in my case. I only ask that my case be determined based upon the reality of my conduct, and not upon any other, inappropriate and factually unsustainable considerations or conclusions, and especially allegations against me that I have not even had the opportunity to address at any time.

6. I cannot express the remorse I feel in having contributed to the tarnished reputation of the Navy and myself. I fully understand the situation that I am in and the administrative actions being taken against me are due to my own fault and I fully accept and acknowledge the errors that I made. I also fully acknowledge that while a Reduction in Grade is a wholly administrative decision, it is also an inappropriate de facto punishment. I have always endeavored to serve the Navy with honor, courage, and commitment. I believe that while I made the mistake of interacting with Leonard Francis, in my case, it was not for any nefarious reasons or personal gain, but rather for the Navy. In large part my selection for promotion to Rear Admiral Lower Half was a result of the enormous contributions I made to the Navy, over the course of my entire career, and in my service in Indonesia. I believe that in spite of the mistake I made, my service was honorable. I ask that I be retired in Grade as an O-7.

Respectfully submitted



Adrian J. Jansen
RDML, U.S. Navy

Enclosures

1. Acknowledgement of Receipt (1 p)
2. Spreadsheet of Francis Léonard/GDMA cases, undated (9 pp)
3. RDML Adrian J. Jansen memo, 13 Feb 17 (1 p)
4. Fitness Reports
 - a. 05Oct01-06Jul31 (2 pp)
 - b. 06Aug01-07Jul31 (2 pp)
 - c. FITREP Report Extension, 31Aug07 (1 p)
 - d. 07Sep01-08Jul31 (2 pp)
 - e. 08Aug01-09Apr30 (2 pp)
 - f. 09May01-10Jun30 (2 pp)
 - g. 01Jul10-31Jul10 (2 pp)
 - h. 10Aug01-11Jul31 (2 pp)
 - i. 11Aug01-12Jul31 (2 pp)
 - j. 12Aug01-13Jul01 (2 pp)
 - k. 13Jul02-13Sep30 (2 pp)
 - l. 13Oct01-14Jun01 (2 pp)
 - m. 14Jun02-15Jun01 (2 pp)
 - n. 15Jun20-16May31 (2 pp)
5. Letter dated 2 August 2017 from POTUS
6. Character Reference Letters for BOI
 - a. RADM Jeffrey A. Lemmons, U.S. Navy (Retired), 25 Apr 17 (2 pp)
 - b. RDML David G. Manero, U.S. Navy, 16 Sep 17 (1 p)
 - c. RADM Richard Landolt, U.S. Navy (Retired), 8 May 17 (2 pp)
 - d. RDML Thomas F. Carney, U.S. Navy (Retired), 21 Apr 17 (1 p)
 - e. CAPT Kenneth L. Williams, U.S. Navy (Retired), 3 May 17 (1 p)
 - f. Mr. Robert I'Anson, DIA Senior Intelligence Officer (Retired) 18 Sep 17 (2 pp)
7. Character Reference Letters for SOR
 - a. RADM Jeffrey A. Lemmons, U.S. Navy (Retired), 2 Aug 2018 (2 pp)
 - b. RADM Richard Landolt, U.S. Navy (Ret), SECDEFREPEUR, 13 Aug 2018 (2 pp)
 - c. COL Paul K. Martin, U.S. Army (Retired), Acting DASD Policy, undated (2 pp)
 - d. Col Dale Atkinson, U.S. Marine Corps (Retired), 6 Aug 18 (3 pp)
 - e. CAPT Thomas Culora, U.S. Navy (Retired), 9 Aug 2018 (2 pp)
 - f. CAPT Kenneth Williams, U.S. Navy (Retired), 6 Aug 18 (1 p)
 - g. Mr. Robert I'Anson, DIA Senior Intelligence Officer (Retired), 9Aug 2018 (2 pp)

From: Rear Admiral (lower half) Adrian J. Jansen, U.S. Navy
To: Chief of Naval Personnel

Subj: RETIREMENT GRADE DETERMINATION

Ref: (a) CNP ltr 1920 P00F of 24 Aug 18
(b) COMUSFLTFORCOM ltr 5812 Ser CDA/76 of 24 Feb 17 w/
ends
(c) NAVPERS 1626/7 of 27 Jan 17 (nonjudicial punishment
package)
(d) Board of Inquiry Report ICO RDML Adrian J. Jansen,
USN

1. I acknowledge receipt of reference (a) informing me of the pending retirement grade determination by the Secretary of the Navy (SECNAV).
2. I understand that references (b) through (d) contain the factual basis for this retirement grade determination; that you are recommending to the SECNAV that I be retired in the grade of commander; that I have a right to confer with counsel; that I have the right to be provided copies of the documents to be forwarded to the SECNAV; that I have the right to submit a statement for consideration by the SECNAV with respect to my retirement grade within 10 calendar days of my receipt of reference (a) and that my failure to respond shall constitute a waiver of my right to submit such a statement; that you will forward my statement, if timely submitted, and references (b) and (d) to the SECNAV via the Chief of Naval Operations; and that the final determination of my retirement grade rests exclusively with the SECNAV.
3. I ☒ (do) (do not) desire to submit a statement to the SECNAV.
4. I ☒ (do) (do not) desire to confer with a judge advocate concerning this matter.
5. I ☒ (do) (do not) desire to consult with civilian counsel at my own expense. I understand that the processing of my case shall not be delayed to await the availability of such civilian counsel.
6. I ☒ (do) (do not) desire to be provided copies of the documents to be forwarded to the Secretary. Any classified documents may be summarized.


A. J. JANSEN

Enclosure 1

Name	Role/position	Details	Outcome
Leonard Glenn "Fat Leonard" Francis	Singapore-based defense contractor; president/CEO of Glenn Defense Marine Asia (GDMA)	Francis admitted that "he bribed 'scores' of U.S. Navy officials with \$500,000 in cash, six figures' worth of sex from his "Thai SEAL team" of traveling prostitutes that greeted ships, ^[31] lavish hotel stays, spa treatments, \$2,000 boxes of Cuban cigars, Kobe beef, Spanish suckling pigs, foie gras terrine, cognac, and an array of other luxury goods." ^{[19][92]} In return, Navy officers provided Francis with classified information, such as ship movements, enabling him to routinely overcharge the Navy for various services GDMA provided for warships in port, such as sewage removal, ground transportation, and communications. ^[33]	Pleaded guilty in January 2015 to bribery, conspiracy to commit bribery, and conspiracy to defraud the United States; awaiting sentencing scheduled for June 15, 2018.[34]
Edmond Aruffo	Top deputy to Francis; Japan country manager for GDMA; retired U.S. Navy officer	Was given "unfettered access" to the headquarters ship of the 7th Fleet, often dining at the officers mess.[31]	Pleaded guilty in July 2014 to conspiracy to defraud the United States; released on bail in September 2014, awaiting sentencing scheduled for July 2017.[35]
Alex Wisidagama	Top deputy to Francis, and his cousin; global manager for government contracts at GDMA	Singapore citizen who fabricated invoices, concocted bids by nonexistent competitors to satisfy acquisition requirements, and massively overbilled for vessel husbandry services.[36]	Pleaded guilty in March 2014 to conspiracy to defraud the United States, and was sentenced in March 2016 to 63 months in prison and ordered to pay the Navy \$34.8 million in restitution.
Lieutenant Commander Alex Gillett	Australian Defence Force liaison to the 7th Fleet	Leonard allegedly provided luxury accommodations, prostitutes and five-figure group gourmet meals at various ports. These included stays at the Shangri-La hotel in Kota Kinabalu, Malaysia, in May 2008, and in November that year at the Shangri-La in Kowloon, as well as at the JW Marriott Hotel in Hong Kong, all joined by Gillett and others.[21]	Identified in U.S. indictments, but not arrested.[21]
Rear Admiral Robert Robert Gilbeau	Former special assistant to the chief of the Navy Supply Corps	A graduate of the U.S. Naval Academy and recipient of the Bronze Star and Purple Heart, Gilbeau admitted in a plea agreement to "concealing the duration and extent of his relationship" with Francis when being questioned by federal investigators. ^[37] Gilbeau also destroyed papers and computer files after Francis's arrest and falsely told investigators that he had never received gifts from Francis. ^[37] Catering for 20 years to Gilbeau's particular preferences, Francis provided him with Vietnamese prostitutes, "two at a time." ^[3]	Pleaded guilty in June 2016 to making a false official statement. Gilbeau retired from active duty in September 2016 and was demoted to captain. Sentenced to 18 months in prison, in addition to a \$100,000 fine, \$50,000 in restitution, 300 hours of community service, and three years on probation. Being held at Federal Correctional Institution, Englewood with a scheduled release date of November 1, 2018. ^{[38][39]}

Captain Michael George Brooks (retired)	Former U.S. naval attaché in the Philippines.	Brooks, of Fairfax Station, Virginia, was the U.S. naval attaché in Manila from 2006 to 2008. He admitted that he had been provided with the services of prostitutes on dozens of occasions, and, "...acknowledged that he and his family members accepted fine wines, hotel rooms, electronics, luxury watches and from Francis." He confirmed that he had secretly passed confidential Navy documents to Francis and Glenn Defense; permitted Glenn Defense to write its own 2007 Navy performance evaluation; and "illicitly secured diplomatic clearance for Glenn Defense so that the firm could bring cargo and personnel into Philippines without being subject to inspections and customs duties." ^[41]	Pleaded guilty in November 2016 to conspiracy to commit bribery. On June 16, 2017, he was sentenced to three and one half years in prison and was also ordered to pay the Navy a \$41,000 fine plus \$31,000 in restitution.
Captain Daniel Dusek	Former deputy director of operations for the United States Seventh Fleet former commander of the USS Bonhomme Richard	Joined the conspiracy in 2010. Served 26 years in the Navy. Was bribed with thousands of dollars in cash and luxury goods in exchange for providing classified information to Francis and arranging "for the carrier <i>Abraham Lincoln</i> and the amphibious assault ship <i>Peleliu</i> to stop at ports where Francis' firm was dominant and could get the bid to provide services to the ships." ^[43] Erased emails to conceal crimes.	Pleaded guilty in January 2015 to conspiracy to commit bribery; sentenced in March 2016 to 46 months in prison and ordered to pay \$100,000 in fines and restitution. Being held at a Residential Reentry Management Center in Seattle with a release date of October 17, 2018. ^{[44][45]}
Commander David Kapaun	Former deputy chief of staff for special operations at the Pacific Command	Lied on his security clearance renewal application by not disclosing he had a long-standing "unfavorable" relationship with Francis [18]	Pleaded guilty on June 6, 2017 to making false statements. Sentenced September 11, 2017, to 18 months in federal prison plus to make \$50,000 in restitution and pay \$25,000 in fines, with 200 hours of community service.[46]
Commander (Vannak Khiem) Michael Misiewicz	Former deputy director of operations for the United States Seventh Fleet former commander of the USS Mustin	Francis supplied him with prostitutes, cash, luxury hotel stays, international airfare for himself and his family, and tickets to a Thailand concert by Lady Gaga and a "Lion King" performance in Japan. He supplied Francis with information about vessel movements including about submarines as well as ballistic-missile defense plans in Asia.[47]	Pleaded guilty in January 2016 to conspiracy and bribery; sentenced in April 2016 to 78 months in prison and ordered to pay \$195,000 in fines and restitution. Being held at United States Penitentiary, Lompoc, California.
Commander Jose Luis Sanchez	Former logistics officer for the United States Seventh Fleet	Joined the scheme in 2008. Served as the executive officer for Fleet Logistics Center Yokosuka until April 2013. Admitted to taking bribes over more than four years, in the form of more than \$100,000 in cash, payment of travel expenses, and the services of prostitutes, in exchange for providing confidential Navy information to Glenn Defense. ^[49]	Pleaded guilty in January 2015 to bribery and conspiracy to commit bribery.[11]

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Lieutenant Commander Gentry Debord	Former logistics officer and stock control officer aboard the USS Essex from 2007 to 2010	Admitted to taking bribes from GDMA for several years in the form of travel, entertainment and the services of prostitutes, with evidence including his reporting having indulged in group sex. ^[50] In return, Debord assisted Glenn Defense in submitting fake invoices to the Navy and tipped Francis off about a Navy investigation into his company. Debord attributed his entanglement in the scheme to his sex addiction. ^[51]	Pleaded guilty in October 2016 to conspiracy to commit bribery; sentenced in January 2017 to 30 months in prison and ordered to pay \$52,000 in fines and restitution. Being held at Federal Correctional Institution, Morgantown, West Virginia.
Lieutenant Commander Todd Malaki	Former logistics planner and supply officer	Over seven years, Malaki provided Francis with proprietary and confidential military documents to assist GMDA in exchange for hotel rooms, cash and a prostitute. In 2006, Malaki provided him with invoices and bid information supplied by competing contractors.	Pleaded guilty in April 2015 to conspiracy to commit bribery; sentenced in January 2016 to 40 months in prison and ordered to pay \$30,000 in fines and restitution. Being held at United States Penitentiary, Tucson, Arizona.
Commander Troy Amundson (retired)	Former officer on the USS Halsey	From September 2012 through October 2013, Francis paid for dinner, drinks, transportation and procured prostitutes for Amundson. In exchange, Amundson gave proprietary information to Francis.	Pleaded guilty in January 2018 to one count of conspiracy to commit bribery; sentencing was originally scheduled for April 27, 2018, postponed to July 20, 2018, and then postponed a second time.
Petty Officer 1st Class Dan Layug	Former logistics specialist for the USS Blue Ridge and United States Seventh Fleet	"Leaked competitors' business secrets and classified ship schedules on six occasions." ^[8]	Pleaded guilty in May 2014 to conspiracy to commit bribery; sentenced in January 2016 to 27 months in prison and fined \$15,000. Being held at United States Penitentiary, Atwater, California.
John Beliveau II	Former special agent, Naval Criminal Investigative Service	Beliveau was a supervisor whose case the prosecutor compared to Massachusetts gangster Whitey Bulger's Winter Hill Gang which had corrupted the Boston FBI. ^[54]	Pleaded guilty in December 2013 to bribery and conspiracy to commit bribery; sentenced in October 2016 to 12 years in prison. Being held at Federal Correctional Institution, Allenwood, Low, in Pennsylvania.
Paul Simpkins	Former Navy contracting supervisor based in Singapore	Simpkins took \$350,000 in bribes from Francis, in the form of cash and funds wired to a bank account in Japan controlled by his wife. ^[55] In return, Simpkins protected Glenn Defense's contracts; he "ordered other Navy officials to stop reviewing fraudulent invoices from the firm, and blocked the installation of special equipment that would have detected a scheme by Francis to overcharge the Navy for pumping wastewater from its ships" and on one occasion "overruled a recommendation from a junior officer to cancel one of Glenn Defense's contracts for poor performance." ^[56]	Pleaded guilty in June 2016 to bribery, and conspiracy to commit bribery; sentenced in December 2016 to six years in prison and ordered to pay \$450,000 in fines and restitution. Being held at Federal Correctional Institution, Morgantown, West Virginia, with a scheduled release date of April 25, 2019. ^{[56][57]}

Rear Admiral Bruce Loveless (retired)	Former U.S. Navy Director of Intelligence Operations, United States Seventh Fleet intelligence chief	Allegedly recruited into the scheme in 2006. ^[6] Had been tasked with assessing and counteracting foreign intelligence threats located within the Seventh Fleet's geographic area of responsibility. ^[32] Alleged to have received emoluments from Francis including provisions of prostitutes and stays at the Bangkok Conrad hotel and at the Shangri-La Hotel Jakarta and the Shangri-La Hotel Singapore, all in May 2008, and at the Makati Shangri-La, Manila, in the presidential suite, where he and Hornbeck, Dolan, Lausman and Shedd emptied the hotel of its entire stock of Dom Perignon champagne during a "raging multi-day party, with a rotating carousel of prostitutes," according to the indictment. ^{[18][58][59]}	Charged in March 2017 with Conspiracy to Commit Honest Services Wire Fraud and Bribery and making false statements. Awaiting trial; has pleaded not guilty.
Captain David A. "Too Tall" Lausman (retired)	Former commanding officer of the USS <i>George Washington</i> and USS <i>Blue Ridge</i>	Allegedly recruited into the scheme in 2006. ^[6] Lausman and his wife were alleged to have taken a luxury trip to Thailand paid for by Francis and Lausman's wife allegedly accepted his gift of an \$11,345 Versace handbag. ^[18] Francis was said to have paid for him at the Makati Shangri-La, Manila's presidential suite. ^{[18][58][59]}	Charged in March 2017 with Conspiracy to Commit Honest Services Wire Fraud and Bribery, obstruction of justice, and making false statements. Awaiting trial; has pleaded not guilty.
Commander Stephen F. Shedd	Former commanding officer of the USS <i>Milius</i> , a destroyer, and planning officer for the United States Seventh Fleet	Allegedly recruited into the scheme in 2006. ^[6] Francis was claimed to have paid for his stay at the Makati Shangri-La, Manila, in the presidential suite, where he and Hornbeck, Dolan, Lausman and Loveless drained the hotel of its entire stock of Dom Perignon champagne during a "raging multi-day party, with a rotating carousel of prostitutes," according to the indictment. Room and alcohol charges exceeded \$50,000. In an email, Shedd told Francis, "It's been a while since I've done 36 hours of straight drinking." ^{[18][58][59]} In the case of former Australian Defence Force (ADF) Lieutenant Commander, Alex Gillett, Shedd, who was allegedly helping to coordinate the GDMA's schemes, was said to have recruited him into what was termed the "wolf pack" in early January 2008. Shedd and his wife were said to have received watches worth \$25,000 from Francis. ^{[21][6]}	Charged in March 2017 with Conspiracy to Commit Honest Services Wire Fraud and Bribery. Has pleaded not guilty.
Commander Donald "Bubbles" Hornbeck (retired)	Former Deputy Chief of Staff for Operations, United States Seventh Fleet	Allegedly recruited into the scheme in 2006. ^[6] Francis allegedly paid for his stay in the presidential suite, at the Makati Shangri-La, Manila, where he and Shedd, Dolan, Lausman and Loveless drained the hotel of all of its Dom Perignon champagne during a "raging multi-day party, with a rotating carousel of prostitutes," according to the indictment. ^{[18][58][59]}	Charged in March 2017 with Conspiracy to Commit Honest Services Wire Fraud and Bribery. Awaiting trial; has pleaded not guilty.
Captain David Newland (retired)	Former Chief of Staff to the Commander, United States Seventh Fleet	Allegedly recruited into the scheme in 2006. ^[6] Allegedly in February 2007, he and other officers used MacArthur memorabilia in the commission of sex acts with prostitutes in the Manila hotel suite. ^{[18][59]}	Charged in March 2017 with Conspiracy to Commit Honest Services Wire Fraud and Bribery. Awaiting trial; has pleaded not guilty.

Colonel Enrico "Rick" de Guzman (retired)	Former assistant chief of staff of operations, United States Marine Corps Forces, Pacific and after USN retirement, civilian deputy chief of staff of operations. ^[12]	Allegedly recruited into the scheme in 2006. ^[6] Two weeks after the Judge Advocate General of the 7th Fleet authored a memo on February 2, 2007, warning personnel not to accept gifts from contractors, DeGuzman, with his wife, who were accompanied by other officers, were alleged to have eaten at the Jaan Restaurant and accepted lodging in Singapore that cost \$30,000. Other meals included ones at Hong Kong's Petrus Restaurant, which came to \$20,435, and Tokyo's New York Grill in Tokyo costing \$30,000. ^{[12][59][60]}	Charged in March 2017 with Conspiracy to Commit Honest Services Wire Fraud and Bribery. Awaiting trial; has pleaded not guilty.
Captain James Dolan (retired)	Former assistant chief of staff for logistics, United States Seventh Fleet	Allegedly recruited into the scheme in 2006. ^[6] Allegedly intervened on GDMA's behalf in contracting and billing disputes, accepting travel and the services of prostitutes, and to have been a participant in carousing at the Makati Shangri-La, Manila, in the presidential suite, paid for by Francis, where he and Hornbeck, Dolan, Shedd and Loveless consumed the hotel's entire stock of Dom Perignon champagne during a "raging multi-day party, with a rotating carousel of prostitutes," according to the indictment. ^{[12][59][60]}	Charged in March 2017 with Conspiracy to Commit Honest Services Wire Fraud and Bribery. Awaiting trial; has pleaded not guilty.[16]
Chief Warrant Officer Robert Gorsuch (retired)	Former flag administration officer, United States Seventh Fleet	Allegedly recruited into the scheme in 2006. ^[6] Allegedly screened candidates for potential participation in conspiracy. ^[59]	Charged in March 2017 with Conspiracy to Commit Honest Services Wire Fraud and Bribery. Awaiting trial; has pleaded not guilty.
Commander Mario Herrera	Former fleet operations/schedules officer, United States Seventh Fleet	Allegedly recruited into the scheme in 2007. ^[6] Allegedly granted diplomatic clearance to GDMA to enable it to bring armed guards into the Philippines, avoid inspections and payment of customs duties. ^[59]	Charged in February 2017 with Conspiracy to Commit Honest Services Wire Fraud and Bribery. Awaiting trial; has not yet entered a plea.
Commander Bobby R. Pitts (retired)	Former supply and logistics officer, United States Seventh Fleet Singapore contracting	Leaked Naval Criminal Investigative Service (NCIS) files to GDMA to obstruct fraud investigations.	Indicted by a federal grand jury in May 2016; charged with conspiracy to defraud the United States and obstruction of official proceedings. Pled guilty on August 15, 2017, to conspiracy to defraud the United States, Sentenced to 18 months in prison and a \$22,500 fine.
Commander David Alexander Morales	Former Singapore action officer for command post exercises	Allegedly took bribes in the form of four suckling pigs, Julio Iglesias tickets, a Gucci fashion show and prostitutes for introducing Francis to potential recruits who might be brought into the conspiracy and providing an admiral's email address. He has been charged with graft, making a false official statement, violation of lawful orders and adultery.[17]	Military article 32 hearing began in Norfolk, Virginia on June 26, 2017, with the accused currently awaiting court-martial: His arraignment was on September 13, 2017, with no plea entered. A preliminary hearing officer recommended that certain charges be dismissed for lack of probable cause. The Navy may move to relocate trial to San Diego to facilitate access to witnesses, including Leonard Francis, and the ability for the U.S. Attorney's Office in San Diego to view a military trial. ^[14]

Commander Jason W. Starmer	Former Joint United States Military Advisory Group, Thailand	<u>Allegedly took bribes in the form of meals, liquor, and the services of a prostitute. He was charged with conduct unbecoming an officer, disobeying orders and adultery.</u>	His military article 32 hearing began in Norfolk, Virginia on August 30, 2017. He pleaded guilty to willful dereliction of duty and conduct unbecoming and was sentenced to receive a letter of reprimand and a \$10,000 fine. His characterizations of service and retirement grade were to be determined later by the Navy secretary. ^[65]
Captain Jesus V. Cantu (retired)	Assistant chief of staff for logistics, 7th Fleet; deputy commander, Far East Division, Military Sealift Command, Singapore	Admitted taking bribes and the services of prostitutes from Francis until 2013.	Pleaded guilty in federal court in San Diego to conspiracy to commit bribery; awaiting sentencing.
Captain John F. Steinberger	<u>Formerly commanded a destroyer squadron attached to the aircraft carrier USS Carl Vinson</u>	His charges included conspiracy, violation of a lawful order, conduct unbecoming an officer, graft and bribery, including accepting discounted and free hotel rooms, food, beverages, and services of prostitutes at or near Hong Kong, Kuala Lumpur, Malaysia, Manila, Philippines and Perth, Australia, in exchange for providing information regarding competitors and his attempts to influence senior officials concerning the husbanding of Navy vessels and port visit location selections.	Arraignment was in Norfolk, Virginia on December 5, 2017. Steinberger faced a maximum sentence of 14 1/2 years confinement, dismissal from the Navy, forfeiture of all pay and allowances plus a fine. He pleaded guilty to willful dereliction of duty and conduct unbecoming, was to receive a punitive letter of reprimand, and a \$10,000 fine, plus administrative separation as part of a pre-trial agreement. His characterizations of service and retirement grades were to be determined later by the Secretary of the Navy. ^[65]
Chief Warrant Officer Brian T. Ware	Former Food Service Officer for the aircraft carrier, the USS <i>George Washington</i> and the Seventh Fleet Command Ship, the USS <i>Blue Ridge</i>	Charged with taking \$8,000 in bribes in the form of hotel rooms, driver service and cellphones during more than twelve port visits and allowing substantial overcharges for provisions.	Pleaded guilty in military court to disobeying lawful orders and accepting graft. Fined \$10,000 and sentenced to six months confinement.
Lieutenant Peter L. Vapor	Supply Corps officer, formerly based in Singapore, now in San Diego.	Charged in August 2017 with lying to investigators, accepting food, liquor, the services of prostitutes, adultery and conduct unbecoming an officer.	<u>On Feb. 27, 2018, Vapor pleaded guilty during an admiral's mast to violating a lawful order, conduct unbecoming, and making a false official statement. He received a letter of reprimand, a \$2,000 fine, and forfeited a month's pay in exchange for the dismissal of charges against him.[65]</u>
Sharon Gursharan Kaur	<u>Former Francis and later Simpkins subordinate, employed by U.S. Navy in contracting[11]</u>	<u>Charged with leaking "confidential contract information to Francis in exchange for \$165,000 in cash and luxury travel "[8]</u>	Charged in Singapore courts with bribery in 2016. Pleaded guilty in June 2017 in Singapore state court to corruption and on July 7, 2018, was sentenced to 33 months in prison. ^[30]

Neil Peterson	Vice president of global operations, Glenn Defense	Arranged for prostitutes for corrupt officers	Indicted by a federal grand jury in December 2014; charged with fraud and conspiracy; arrested in Singapore in September 2016 and extradited to San Diego in October 2016; has pleaded guilty. Peterson was sentenced on Aug. 11, 2017 to 70 months in prison. ^[19]
Linda Raja	General manager for Singapore, Australia and Pacific Isles, Glenn Defense	Fabricated fake billings, bids and invoices.	Indicted by a federal grand jury in December 2014; charged with fraud and conspiracy; arrested in Singapore in September 2016 and extradited to San Diego in October 2016. Pleased guilty. Raja was sentenced on Aug. 11, 2017 to 46 months in prison. ^[19]
Unknown individual	Unnamed Glenn Defense employee		Indicted by a federal grand jury in December 2014; charged with fraud and conspiracy charges. The employee is thought to be an Asian; an arrest warrant has been issued. Name has not been made public.
Captain Timothy Conroy (retired)	Former chief of staff for Carrier Strike Group Seven.	Was censured by Secretary of the Navy Richard V. Spencer as he had engaged in "conduct unbecoming an officer," which was "an embarrassment" to the service. "It is incumbent that naval officers, particularly those placed in positions of great trust and responsibility, be held to the highest standards of both personal and professional behavior." Conroy, "disregarded those standards and engaged in conduct that reflected unethical and improper personal behavior and set poor standards of leadership."	Disciplined by the Navy—received censure in June 2018 but retired in 2010.
Captain Capt. Charles Johnson	Served in various positions in the western Pacific.	Was censured by Secretary of the Navy, Richard V. Spencer, because he engaged in "conduct unbecoming an officer," which was "an embarrassment" to the service. "It is incumbent that naval officers, particularly those placed in positions of great trust and responsibility, be held to the highest standards of both personal and professional behavior." Johnson, Spencer continued, "disregarded those standards and engaged in conduct that reflected unethical and improper personal behavior and set poor standards of leadership."	Disciplined by the Navy—received censure in June 2018. Remains on active duty.
Rear Admiral Adrian Jansen	Former naval attaché to Indonesia and defense attaché to China	Navy investigation determined that Jansen "had an inappropriately familiar relationship" with Francis while serving as the naval attaché to Indonesia by accepting unreported gifts of dinners and wine that exceeded \$5,000, in violation of the law and Department of the Navy regulations. ^[73]	Disciplined by the Navy—received non-judicial punishment by the Navy and forfeited \$7,500 in pay in February 2017; retirement pending
Vice Admiral Michael H. Miller (retired)	Former superintendent of the United States Naval Academy	Along with Kraft and Pimpo, was censured by Secretary of the Navy Ray Mabus "to 'document their failure of leadership' related to dealings with Glenn Defense Marine Asia between 2006 and 2007." ^[72]	Disciplined by the Navy—received censure in February 2015 and retired in August 2015.

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Rear Admiral Richard Wren (retired)	Former commander of Carrier Strike Group Five and of U.S. Naval Forces Japan	Was censured by Secretary of the Navy Richard V. Spencer because he "repeatedly and improperly" took gifts from Francis between 2007 and 2010 and Spencer wrote Wren later misled investigators about his relationship with Francis. He engaged in "conduct unbecoming an officer," which was "an embarrassment" to the service. "It is incumbent that naval officers, particularly those placed in positions of great trust and responsibility, be held to the highest standards of both personal and professional behavior." Spencer continued, Wren, "disregarded those standards and engaged in conduct that reflected unethical and improper personal behavior and set poor standards of leadership."	Disciplined by the Navy—received censure in June 2018 but retired in 2011.
Rear Admiral Terry Kraft (retired)	Former commander, U.S. Naval Forces, Japan	Along with Miller and Pimpo, was censured by Secretary of the Navy "to 'document their failure of leadership' related to dealings with Glenn Defense Marine Asia between 2006 and 2007." [72]	Disciplined by the Navy—received censure in February 2015 and was forced into retirement in July 2015.
Rear Admiral David R. Pimpo (retired)	Former commander, Naval Supply Systems Command	Along with Kraft and Miller, was censured by Secretary of the Navy "to 'document their failure of leadership' related to dealings with Glenn Defense Marine Asia between 2006 and 2007." [72]	Disciplined by the Navy—received censure in February 2015, was demoted to captain, and was forced into retirement in July 2015.
Rear Adm. Kenneth "K.J." Norton (retired)	Former commander, USS Ronald Reagan	As with Pimpo, Kraft and Miller in 2015, Norton was censured by the incoming Secretary of the Navy, Richard V. Spencer, because he intentionally violated the military Standards of Ethical Conduct, U.S. Navy Regulations, the Joint Ethics Regulation and the Uniform Code of Military Justice "and brought ill-repute and disgrace upon the U.S. Navy." [72]	Disciplined by the Navy—received censure November 6, 2017. Had retired in 2014.
Adm. Samuel J. Locklear (retired)	Former commander, U.S. Pacific Command	Francis told Navy investigators that he paid for "opulent dinners and other favors" for Locklear, including procuring a prostitute.	The Navy cleared Locklear of wrongdoing, but the episode prevented his appointment as Chairman of the Joint Chiefs of Staff, for which he had been shortlisted.
Captain David Haas (Retired)	Former Director of Seventh Fleet Maritime Operations aboard the USS <i>Blue Ridge</i>	Allegedly took \$145,000 in bribes from Francis and participation in parties involving prostitutes including a two-day, \$75,000 affair, and involvement in recruiting additional Navy co-conspirators. [76]	Charged in August 2018 having been relieved of command in November 2013 because of GDMA-related conduct. Did not retire until December 2016.
Master Chief Petty Officer Ricarte Icmat David (Retired)	Various 7th Fleet logistics posts [76]	Allegedly conspired with Francis, GDMA and others. In exchange for breaching his fiduciary duties to the Navy and the American public, David received cash, hotel rooms, and prostitutes and conspired to receive bribes from Francis and others in return for approval of fraudulently inflated invoices following port visits, passing classified information to GDMA, advocating for it in contracting disputes, and providing GDMA with internal Navy information regarding competitors for contracts.	Charged in August 2018 with honest services fraud. Awaiting possible extradition from the Philippines and arraignment. [76]

Chief Petty Officer Brooks Alonzo Parks (Retired)	Seventh fleet logistics [76]	Allegedly received gifts, hotel suites, airline tickets and additional benefits in return for Parks providing sensitive and proprietary U.S. Navy information, including competitor pricing and Navy ship and personnel movement information.	Charged in August 2018 with honest services fraud. Awaiting possible extradition from Italy and arraignment [76]
RADM (lh) David F. Steindl RDML Cynthia Thebaud			Selected for Promotion to O-8, nomination withdrawn and retd as an O-7

Enclosure 2 p 9/9

13 FEB 2017

From: RDML Adrian J. Jansen
To: Commander, U.S. Fleet Forces Command

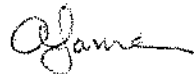
Subj: 10 February 2017 NJP

Encl: (1) Voluntary Retirement Request
(2) JANSEN JUL2010-JUL2013 EOT Award

1. As directed by you during the subject NJP, I respectfully forward the enclosures.

2. Having had the opportunity to reflect on the subject NJP, I realize that it was inappropriate of me to plead not-guilty to Specification 4. You were correct that my professional conduct in regards to my failure to report my association with Leonard Francis was sub-standard and I negligently failed to report that. I fully acknowledge that your finding of guilty with regards to the specification as well as to the other specifications was appropriate.

3. I am satisfied that the NJP was fair and the punishments imposed were just.



A. J. Jansen

Enclosure 3

Pages 30 through 56 redacted for the following reasons:

Fitness Reports - Withheld (b)(6), (b)(7)(C)



THE WHITE HOUSE

WASHINGTON

August 2, 2017

Rear Admiral Adrian J. Jansen, USN, Retired
Lorton, Virginia

Dear Admiral Jansen,

I send my personal congratulations and offer the country's sincere gratitude as you retire from the United States Navy after your many years of service. I am proud to have served as your Commander in Chief.

Your dedication and leadership in uniform has been critical to defending our freedom at an important time in our history. The commitment to duty and professionalism with which you have served is part of the outstanding legacy of the United States Armed Forces, which continues to inspire generations of Americans.

Thank you for your contributions to the safety of the American people and the security of America. As you open this next chapter in your life, I hope that you feel tremendous pride in your service to our Nation and that you continue to find ways to invest in your community and our country.

Melania and I send our best wishes for success in all your future endeavors. May God bless you, and may God continue to bless our great Nation.

Sincerely,

A handwritten signature in dark ink, appearing to be "Donald Trump", is written below the word "Sincerely,".

Enclosure 5



25 April 2017

MEMORANDUM FOR: President, Board of Inquiry ICO RDML Adrian J. Jansen,
USN

SUBJECT: RECOMMENDATION FOR RETENTION IN NAVAL SERVICE

1. I, Jeffrey Lemmons, am currently President of J. Lemmons Consultants, and retired from the U.S. Navy after 35 years of service on 29 June 2014. I have known Admiral Adrian J. Jansen since October 2009 when the admiral was serving as the executive assistant to the director of Expeditionary Warfare (OPNAV N85) and after the admiral's conversion to the foreign area officer (FAO) designator. I was the FAO Proponent while serving as assistant deputy Chief of Naval Operations for Operation, Plans and Strategy (OPNAV N3/N5B) and as director for International Engagement (OPNAV N52). During this period I observed him on a close professional basis.
2. I know that Admiral Jansen is the subject of a Board of Inquiry for alleged misconduct.
3. I strongly recommend Admiral Jansen for retention in the United States Navy for the following reasons:
 - a. First and foremost, Rear Admiral Jansen is a patriot, dedicated to protecting the Constitution of the United States. I saw first-hand, his tireless efforts to advance U.S. national security interests while serving as the U.S. naval attaché to Indonesia.
 - b. While working at U.S. Embassy Jakarta, Admiral Jansen was entrusted to foster and develop the U.S. Navy-Indonesian Navy relationship. The Navy-to-Navy relationship was unmatched garnering access to the Indonesian Navy in ways never seen before. The Indonesian Navy had been "closed" to us prior to his arrival and he achieved significant progress in cultivating enduring key relationships that remain instrumental to our South China Sea interests.

Enclosure 6.a. p 1/2

- c. Clearly, Admiral Jansen's efforts to advance the Navy's relationship with this key strategic partner was considered a career highpoint that positioned him for selection as the first Navy FAO flag officer.
 - d. I am confident that Admiral Jansen fully understands the consequences of his actions and is genuine in his remorse. Admiral Jansen has served the Navy for nearly 34 years and to every measure I have made of him, is a fine officer. I believe he can and should continue to serve the Navy and that the evidence he presents should be examined with an allowance for the careful attention he gave his challenging task to act as both sailor and diplomat abroad.
4. I can be reached at [REDACTED] (b)(6) should you have any need for further information. I would gladly make an appearance on RDML Jansen's behalf should you so desire.



J. A. Lemmons
Rear Admiral, U.S. Navy (ret.)



Embassy of the United States of America

DEFENSE ATTACHÉ OFFICE

Moscow, Russia

16 September 2017

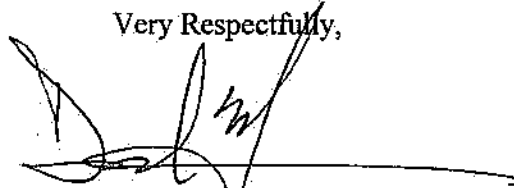
From: Senior Defense Official/Defense Attaché, USDAO Moscow

To: President, Board of Inquiry ICO RDML Adrian J. Jansen, USN

Subj: RECOMMENDATION FOR RETENTION IN NAVAL SERVICE

1. Rear Admiral Adrian J. Jansen has informed me that he is the subject of a Board of Inquiry (BOI) for alleged misconduct.
2. I have known Rear Admiral Jansen since 2011 when he was serving as Naval Attaché Indonesia and I was serving as Naval Attaché Moscow. As the Senior Navy Foreign Area Officer, I have had the pleasure of working with him on both a personal and professional basis. Although I am not privy to the specifics of this case, I respectfully request that the board members carefully consider the totality of Adrian's 34 years of dedicated service to our nation when reflecting upon the relatively recent and most unfortunate events that have resulted in this BOI. I am confident that Adrian fully understands the gravity of this situation, has fully accepted the consequences that his actions, and is deeply remorseful for the negative impact this difficult situation has had on his family and our great Navy. It is clear to me that Adrian sincerely desires to continue his service and eventually retire honorably in a manner that is consistent with the many years he has dedicated to our Nation.
3. Thank you for considering and allowing me to add my thoughts on this very important matter. Should you desire further conversation regarding my perspective on Rear Admiral Jansen, I may be reached at (b)(6)

Very Respectfully,



David G. Manero
RDML USN

Enclosure 6.b.



8 MAY 2017

MEMORANDUM FOR: President, Board of Inquiry ICO RDML Adrian J. Jansen, USN

SUBJECT: RECOMMENDATION FOR RETENTION IN NAVAL SERVICE

1. I, Richard Landolt, am a Senior Analyst for the Center of Naval Analysis and retired from the U.S. Navy after 32 years of service in 2014. I have known Rear Admiral Adrian J. Jansen since 2003 when he was serving as the Commanding Officer of USS FORT McHENRY, one of the ships in Amphibious Squadron 11 in which I was then commanding. Later I also served with Adrian when he was the Executive Assistant to the Director of Expeditionary Warfare (N85) and I was the Deputy Director. Finally, I was able to observe him while he was the U.S. Naval Attaché to our Embassy in Indonesia and I was the FAO Proponent while serving as the Director of International Engagement (N51). During these periods I observed him both professionally and socially.
2. I know that Admiral Jansen is the subject of a Board of Inquiry for alleged misconduct.
3. I strongly recommend Admiral Jansen for retention in the United States Navy for the following reasons:
 - a. First and foremost, Rear Admiral Jansen is dedicated to protecting the Constitution of the United States. I saw first-hand his tireless efforts to advance U.S. national security interests while serving as FORT McHENRY's Commanding Officer then forward deployed to Japan and as the U.S. Naval Attaché to Indonesia.
 - b. While working at U.S. Embassy Jakarta, Admiral Jansen was entrusted to foster and develop the U.S. Navy-Indonesian Navy relationship. He opened the door to this "closed" navy by fostering a Navy-to-Navy relationship that was unmatched, garnering access to the Indonesian Navy never before seen. A huge partner to us in the region to which he strengthened immensely.
 - c. Admiral Jansen's success in building a positive USN-Indonesian Navy relationship were indicative of his keen ability as a Foreign Area Officer and was a significant milestone towards his selection for Flag Rank.
 - d. I know that Admiral Jansen fully understands the consequences of his actions and is remorseful. I believe he can and should continue to serve the Navy and that every effort should be made to carefully review this case noting the dutiful manner in which he served as a Sailor and diplomat through 34 years of service.

Enclosure 6.c. p 1/2

4. I can be reached at tel [REDACTED] (b)(6) should you have any need for further information.

Richard B. Landolt


Richard B. Landolt
Rear Admiral, U.S. Navy (Ret.)

Thomas Carney
Rear Admiral, USN (ret)
April 21, 2017

MEMORANDUM FOR: President, Board of Inquiry ICO RDML Adrian J. Jansen

SUBJECT: RECOMMENDATION FOR RETENTION IN NAVAL SERVICE

1. I have known Admiral Adrian Jansen, both professionally and socially since 1999. I have seen his hard work, dedication and commitment over the last 18 years and consider him a friend and a colleague. I most recently had the opportunity to work with him when he was the U.S. Naval Attaché to Indonesia and I was the Commander, Logistic Group Western Pacific from 2011 to 2013. During Admiral Jansen's tenure in Indonesia, I worked with him on a regular basis and thought he was one of the best FAOs I have ever seen..
2. I know that Admiral Jansen is the subject of a Board of Inquiry for alleged misconduct.
3. I strongly support Admiral Jansen for retention in the United States Navy for the following reasons:
 - a. I believe Rear Admiral Jansen is a dedicated service member committed to serving his country
 - b. While serving as the U.S. Naval Attaché to Indonesia, he worked hard to support U.S. National Security Interests while advancing Navy to Navy relationships. In this, he was very successful and his tireless support of all aspects of 7th Fleet operations, especially CARAT Indonesia, was a great measure of his accomplishments and helped advance US national interests in the region.
 - c. I know that Admiral Jansen fully understands the consequences of his actions and he is genuine in his remorse. Admiral Jansen has served the Navy for nearly 34 years and is a fine officer. I believe he should be allowed to continue to serve the Navy.
4. I can be reached at (b)(6)


T. F. Carney

Enclosure 6.d.

Kenneth L. Williams
Captain, U.S. Navy (ret)

(b)(6), (b)(7)(C)

May 3, 2017

MEMORANDUM FOR: President, Board of Inquiry ICO RDML Adrian J. Jansen

SUBJECT: RECOMMENDATION FOR RETENTION IN NAVAL SERVICE

1. I, Kenneth Williams, am currently retired from the U.S. Navy after 27 years of service. I have known Admiral Adrian J. Jansen since 1985 when we served together in USS CONSTELLATION (CV-64). LTJG Jansen was an ideal leader and mentor during this tour. We also worked closely as Captains on the OPNAV staff: he as the Executive Assistant to Director of Expeditionary Warfare (N85) and me as the Executive Assistant to the Director of Surface Warfare (N86). We have been friends and colleagues for a very long time.

2. I know that Admiral Jansen is the subject of a Board of Inquiry for alleged misconduct.

3. I strongly recommend Admiral Jansen for retention in the United States Navy for the following reasons:

- a. First and foremost, Rear Admiral Jansen is a patriot, dedicated to protecting the Constitution of the United States. From the time we served together in CONSTELLATION until now, I have known the Admiral to be dedicated to serving the nation and the Navy, always putting service before self.
- b. From Division Officer to Executive Assistant, Admiral Jansen has been an approachable mentor, manager, and leader, always ready to assist, advise, and support to overcome any obstacle, fix any problem, and to get the job done! He is the kind of leader the Navy needs!
- c. I know that Admiral Jansen fully understands the consequences of his actions and is genuinely remorseful. He has served the Navy for nearly 34 years and is a fine officer, leader and friend. I know he can, and should, continue to serve the Navy.

4. My POC is (b)(6)



K. L. Williams

Enclosure 6.e.

18 Sep 17

From: Robert L. P'Anson, Senior Intelligence Officer (Retired), Defense Intelligence Agency
To: President, Board of Inquiry

Subj: LETTER ON BEHALF OF RDML ADRIAN JANSEN, USN

1. I am a recently retired senior intelligence professional with more than 34 years service at the Defense Intelligence Agency (DIA) and an additional 11 years serving as a consultant to the National Geospatial Intelligence Agency.
2. I don't know how familiar you are with the DIA, but I think it is important that you have some background on our organization. While we are a sister agency to the Department of the Navy (DON) within the Department of Defense (DOD), our primary mission differs from the DON in that, at the DIA, our primary mission is gathering intelligence for use not only by other DOD agencies and DOD itself, but other executive departments as well. One key component to that is human intelligence – developing and utilizing foreign contacts with close ties to foreign governments who can help open doors and provide Intel that our Government can use. That is a crucial part of our job at DIA.
3. I spent years working with and leading many joint intelligence teams comprised of officers from all Services, and as a DIA operative, I have served in many countries throughout the world, including the Far East. "Breaking bread," sharing a glass of wine, etc., is an important tool for a DIA agent to utilize to develop the contacts we need to do our job. That is because in many of the countries we work in, these social practices are culturally expected before the people we are dealing with will open up to us. It builds the trust and rapport necessary to establish the relationships we need to do our job of gathering Intel. It is often a prerequisite for doing our job, and if we did not engage in such culturally expected practice within each country, we would not be able to do our job. For example, turning down offers of dinner or an alcoholic beverage is considered an insult in many cultures where the U.S. Government has to do business, so it simply is not an option if one wants to do a successful job, to turn down a meal or a glass of wine at dinner. Whether the contact is a husbanding agent doing business with another U.S. government agency, such as DON, or not, does not matter to DIA because our mission is different. And whether working with a foreign contact and accepting a meal from him or her might not be allowed by certain agencies, the job we do and the mission we must accomplish are different. Therefore, as a DIA agent, if I have a legitimate reason for developing a foreign contact who might be a prohibited source to someone from another U.S. agency, he would not be to me, and I can ethically accept meals, etc., from him or her to do my job. I have engaged in this sort of thing many times myself, as has every successful DIA operative overseas because it is mission-required.
4. I have known RDML Jansen since he moved across the street from me nearly ten years ago, as he began his Defense Attaché training at the Defense Intelligence Agency. As a veteran DIA agent, I took great interest in conversations I had with RDML Jansen as he prepared for the challenges he was to take on in his duty assignments to Indonesia and China working for DIA. In

Enclosure 6.f p 1/2

Subj: LETTER ON BEHALF OF RDML ADRIAN JANSEN, USN

my line of work, you have to become a good judge of character or you will fail. From my experiences overseas and working at the Pentagon supporting Admiral Bobby Inman, I recognized RDML Jansen to be an exceptional officer who has all the attributes of a superb leader and a person. I am very confident that he can be counted on and trusted with this nation's most sensitive intelligence material, even in the most demanding of situations. I consider his 30+ years of U.S. Navy experience to be a national asset. As you know, and as I know from over 30 years myself with DIA, that kind of experience is invaluable and cannot simply be replaced.

5. I understand the circumstances here, and I am confident that RDML Jansen has emerged from it properly humbled and ready to carry on in service to his country. He freely admits to his mistake and accepts full responsibility, yet remains deeply committed to continue to work in the USN and to serve our country. From our frequent discussions I know that he is of honorable character and an outstanding officer, possessing deep experience and well equipped to handle both the sensitive and diplomatic aspects of the tasks he was committed to undertake for our Nation and representing the US Navy. I have no concern that he will suffer another error in judgment, and he expressed to me an extraordinary passion to continue in the US Navy.

6. I am writing you this letter first and foremost because I am concerned about our country if we lose the ability to tolerate the fact that people – even senior leaders – make mistakes and can learn and bounce back from them. It is in our Nation's best interest that our Government does not lose very good, devoted people, such as RDML Jansen, and the irreplaceable experience and leadership skills he possesses because of a bureaucracy that prevents us from tolerating any mistake. If the bureaucratic impetus toward zero-mistake leaders prevails, you and I and our fellow citizens all lose, because our national security is weakened by that kind of calculus.

7. Based on the experience and instincts I developed in 34 years in the DIA, and on my knowledge of what RDML Jansen has to offer and who he is, I am confident that RDML Jansen's continued active duty service will provide a positive benefit to the Navy and to the country that I have spent my life in service to. His years of commendable service, honorable character, hands-on line duty and foreign area officer expertise are a tremendous asset to the US Navy and to our country, and should not be wasted over this. I urge the board in the strongest possible terms that RDML Jansen be retained on active duty.

/S/

Robert L. F'Anson

Enclosure 6.f p 2/2



02 August 2018

TO WHOM IT MAY CONCERN:

From: Jeffrey Allen Lemmons, Rear Admiral, U.S. Navy, retired

Subject: Character Statement for Admiral Adrian Jansen, U.S. Navy

1. I, Jeffrey Lemmons, am currently President of J. Lemmons Consultants, and retired from the U.S. Navy after 35 years of service on 29 June 2014. I have known Rear Admiral Adrian J. Jansen since October 2009 when the admiral was serving as the executive assistant to the director of Expeditionary Warfare (OPNAV N85) and after the admiral's conversion to the foreign area officer (FAO) designator. I was the FAO Proponent while serving as assistant deputy Chief of Naval Operations for Operation, Plans and Strategy (OPNAV N3/N5B) and as director for International Engagement (OPNAV N52). During this period, I observed him on a close professional basis and nominated him for the DAO Jakarta assignment. I have always had the highest confidence in his ability to work in sensitive environments that require the handling of classified information.
2. I know that Admiral Jansen has been the subject of a Board of Inquiry for alleged misconduct and that he has accepted the findings of that Board and has applied for retirement. I am also aware that DoD CAF has issued a Letter of Intent to revoke Admiral Jansen's security clearance and have been provided with a copy of the Statement of Reasons in this case. I offer the following as support for retention of his clearance and for his continued access to classified information:
 - a. First and foremost, Rear Admiral Jansen is a patriot, dedicated to protecting the Constitution of the United States. I saw first-hand, his tireless efforts to advance U.S. national security interests while serving as the U.S. naval attaché to Indonesia.
 - b. I am fully aware of the necessity to protect classified information and that only the right people should have access to such information. Rear Admiral Jansen was required to make notes and assessments for his

reports and then turn those assessments into documents of record. He required access to classified information, and in fact, was responsible for creating classified documents that were forwarded for analysis and action. He always impressed me as a careful, cautious and thoughtful practitioner and I know of no material breach of information during his period of service.

- c. While working at U.S. Embassy Jakarta, Admiral Jansen was entrusted to foster and develop the U.S. Navy-Indonesian Navy relationship. The Navy-to-Navy relationship was unmatched garnering access to the Indonesian Navy in ways never seen before. The Indonesian Navy had been "closed" to us prior to his arrival and he achieved significant progress in cultivating enduring key relationships that remain instrumental to our South China Sea interests. He was able to forge these relationships through skillful and careful communication of sensitive security assessments. We realized these successes because of his careful and focused precision.
 - d. Admiral Jansen's efforts to advance the Navy's relationship with this key strategic partner was considered a career highpoint that positioned him for selection as the first Navy FAO flag officer. He continues to be highly regarded and admired within the U.S. diplomatic and attaché community for his vast knowledge of the key decision makers throughout the Pacific rim.
3. I would gladly make an appearance on RDML Jansen's behalf should you so desire. Please allow him to keep his clearance and be of continued service to those who will call upon him for his expertise and judgement. I declare under penalty of perjury that the foregoing is true and correct and I can be reached at (b)(6) should you have any further need for clarification or information.

Jeffrey A. Lemmons

J. A. Lemmons
Rear Admiral, U.S. Navy (ret.)



UNITED STATES MISSION
TO THE
NORTH ATLANTIC TREATY ORGANIZATION
(USNATO)
APO AE 09724

USNATO/ODA

August 13, 2018

TO WHOM IT MAY CONCERN:

From: Richard B. Landolt

Subject: CHARACTER STATEMENT FOR REAR ADMIRAL ADRIAN J. JANSEN

I, Richard B. Landolt, am the Senior Civilian Representative of the Secretary of Defense in Europe (SECDEFREPEUR) and the Defense Advisor (DEFAD) to the U.S. Ambassador to NATO (USNATO). As SECDEFREPEUR, I am responsible for planning, recommending, coordinating, and monitoring Department of Defense (DoD) policies, programs, and initiatives throughout Europe. As DEFAD, I am responsible for the formulation, coordination, and presentation of DoD policies to the U.S. Ambassador to NATO.

Before assuming my current position, I was the Executive Director, Public Safety, for the City of Mobile, Alabama. In this capacity, I was responsible for the Police Department, Fire-Rescue Department, and Safety and Performance Department. Commensurate with this position I held a part time job as a Senior Analyst at the Center for Naval Analysis holding a TS/SCI security clearance. In 2014, I retired as a Rear Admiral after 32 years of service as a Surface Warfare Officer in the U.S. Navy. During my service I had Command at Sea 5 times, commanding 3 ships (USS Gladiator, USS Ardent, and USS Fort McHenry), a 4-ship Amphibious Squadron, and as Commander, Amphibious Forces 7th Fleet, headquartered out of Okinawa, Japan. My tours ashore include two on NATO staffs. At the Pentagon, I served as Director, International Engagement on the Navy Staff. Other shore tours include assignments with the Bureau of Naval Personnel, and on the Chief of Naval Operations (CNO) Executive Panel staff as the assistant for long-range plans. In my final assignment, I served as Director of Operations/Cyber (J3) for U.S. Africa Command headquartered in Stuttgart, Germany from April 2012 through January 2014.

I was commissioned via the Navy Reserve Officers Training Corps unit at the University of Florida where I earned a Bachelor of Arts in Political Science. I also hold a Master of Science degree in Telecommunications Systems Management from the Naval Postgraduate School in Monterey, California, and am a graduate of the U.S. Marine Corps Command and Staff College, Quantico, Virginia. For most of my Navy career until now, I have held a TS/SCI security clearance.

I have known Rear Admiral Adrian J. Jansen, as well as (b)(6), (b)(7)(C) since 2003 when I assumed command of Amphibious Squadron Eleven in Sasebo, Japan. Commander Jansen was in command of USS FORT MCHENRY, one of the 4 ships assigned to my squadron. While in Japan, I had the opportunity to observe Admiral Jansen both professionally and personally on a weekly basis. Maintaining a positive relationship after his tour ended, Admiral Jansen and I maintained a personal relationship where we communicated about once every three months. Our relationship became both professional and personal again in 2007 when Admiral Jansen worked for me when I was assigned as the Deputy Director for Expeditionary Warfare (N85B) on the

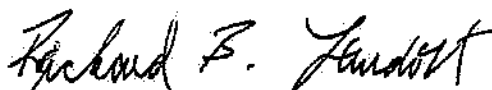
staff of the Chief of Naval Operations and he was serving as the Executive Assistant (EA) for the staff. It was over the course of that time that I observed him on a daily basis. After my tour ended, our relationship returned to a personal level with communication about once every three months. I had a chance to observe Admiral Jansen professionally while he was serving as the U.S. Naval Attaché to Indonesia when I was serving as the Commander of Amphibious Force Seventh Fleet and was in Indonesia on assignment. I also had the opportunity to observe him professionally when he was escorting the Vice Chief of the Indonesian Navy to the International Sea Power Symposium while I was the Director of the Navy's International Program Office. In the course of that assignment, I had frequent communications with him and was aware of his activities in Indonesia. Both my spouse (b)(6), (b)(7)(C) have been friends over those years.

Having closely observed Admiral Jansen in both professional and personal environments, I can unequivocally say that he is a dedicated, loyal, honest, trustworthy and committed naval officer and person. Having sworn to support and defend the Constitution of the United States, I know he takes the obligation seriously and that he would never do anything that would put the constitution at risk. Having observed Admiral Jansen's deportment in both Japan and Indonesia, I can say with surety that he has always conducted himself in a manner that would ensure the security of the United States while forging positive relationships that would help to further U.S. national security interests abroad. I have never known Admiral Jansen to act in manner to further himself by putting anyone or anything at risk. I am fully aware of the circumstances of the issues Admiral Jansen has been involved in and know that he is extremely remorseful for having been part of a situation that has tarnished the Navy's reputation. But I fully believe that Admiral Jansen's involvement in this matter was to further U.S. interests rather than his own.

I have been provided a copy of the Statement of Reasons (SOR) presented to Admiral Jansen by the Department of Defense Central Adjudication Facility. I know with all certainty that Admiral Jansen is a trustworthy naval officer and that the minor issues noted in the SOR over the nearly 40 years that Admiral Jansen has served the Navy do not warrant revocation of his Security Clearance. Without a doubt, Admiral Jansen has never wavered from his commitment to protecting the Constitution and I believe that includes his effort to safeguard classified information.

In all my encounters with Admiral Jansen, I have never observed any behavior that would put him at risk professionally or personally. I have also never observed any behavior that would indicate a lack of trust in his commitment to protect classified information nor have I ever witnessed an occasion where he inadvertently divulged classified information in an unsecured environment or to unauthorized individuals. He has my utmost trust. I believe that Admiral Jansen can and will serve the United States in the future and for that reason, I most strongly recommend that Admiral Jansen be permitted to maintain a Security Clearance.

I declare under penalty of perjury that the foregoing is true and correct.



Richard B. Landolt
Secretary of Defense Representative, Europe
and Defense Advisor to USNATO

TO WHOM IT MAY CONCERN:

From: Paul Kindley Martin

Subject: Character Statement for Admiral Adrian Jansen

I am Paul Martin presently serving as the Acting Deputy Assistant Secretary of Defense for Plans in the Office of the Secretary of Defense. I have been in this position for the past 4 months and prior to that I was the Principal Detector for Plans in the same organization, for a total of 9 years of civil service with the responsibility to provide civilian oversight of the Department of Defense's major war plans. This requires me to supervise personnel that must review and maintain proper control of a range of classified material to include Top Secret and compartmented information.

Prior to entering civil service I attended and graduated from the United States Military Academy and was commissioned a 2nd Lieutenant in the U.S. Army in 1980 retiring as a Colonel after 29 years of service in 2009. During my service I initially received a security clearance in 1983 which I have maintained through today. From 1996 until I retired I worked in a variety of senior staff positions at United States Pacific Command, United States Transportation Command, and the Office of the Secretary of Defense, which as a matter of routine required me to handle, store, and protect classified information associated with the country's major war plans.

While serving in the Office of the Secretary of Defense for Policy I met then Captain Adrian Jansen in 2005 when he was assigned to the Plans office I was working in. For approximately 2 years I sat next to and interacted daily with Adrian on a full range of sensitive planning tasks. The office was cleared for Top Secret but was not an open storage facility. During his time there were no security incidents. On a daily basis we were required to sanitize our desks and cross check safes and working areas. During his time in the office Adrian demonstrated attention to detail and due diligence in maintaining control of classified information entrusted to him. I would also note that Adrian took care to properly classify products he produced in the course of his duties. I cannot recall one incident where Adrian breached the trust placed in him to maintain control over classified information.

During our time working together I came to know Adrian as a stand-up individual who would take responsibility for his actions, was forth right in his advice and discussions with both his peers and seniors, was trustworthy, reliable, and displayed sound judgment. These traits were on display each work day and given the open bay working environment and the inability to have private conversations I believe portrayed his true character. Following Adrian's departure from Policy I maintained a sporadic professional and personal relationship with him, attending several gatherings at his home and meeting with him to discuss current events during his visits to the National Capital Region.

Enclosure 7.c. p 1/2

In closing I would like to say that I am aware of Adrian's failure to report the acceptance of gifts from a foreign party and his past security lapses. I found these incidents of concern; however, my concerns are offset by my personal observations of him. I believe that we all learn from our mistakes and when considering Adrian from a "whole man" point of view and my personal interaction with him, he should not be disqualified from holding a security clearance.

I declare under penalty of perjury that the foregoing is true and correct.


Paul K Martin

6 August 2018

TO WHOM IT MAY CONCERN:

From: Dale M. Atkinson, Colonel, USMC (Ret)

Subject: Character Statement for Rear Admiral Adrian Jansen

My name is Dale M. Atkinson. I reside at

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

I am a retired Marine Colonel that served 28 on active duty from 1983 – 2010. Officer. Since my retirement from active duty in 2010, I have been employed by Booz Allen Hamilton as a military consultant. My primary client is the United States Marine Corps with specific emphasis of Headquarters Marine Corps and II Marine Expeditionary Force. For the continuous 35 years since retirement I have held a security clearance from Secret to Top Secret Sensitive Compartmented Information - Special Programs (TS/SCI-SP). I have extensive knowledge and training on the laws and directives governing applications for, individual qualifications for, requirements to issue, maintain and revoke security clearances. I also understand the significance of security violations, their impact on national security as well as the laws governing facility requirements. I concur that the best practice for securing classified material is to limit its access which begins, and ends, with the individual this special trust and confidence is assigned. I agree only the most trustworthy officials with a need to know should be granted access. I am aware of the issues and concerns of this Board of Inquiry (BOI) as it relates to the matter of RADM Jansen's maintaining his clearance. In my opinion, having observed RADM Jansen in a professional and personal manner, he is without a doubt one of the finest Naval Officers I have served with and doing so was one of the highlights of my career. RADM Adrian Jansen should maintain his clearance eligibility. What follows is a brief explanation of my association with RADM Jansen that is intended to provide substance to my recommendation above. I have also attached my resume for clarification and information.

I have known Rear Admiral Adrian Jansen since 2005. We were stationed together in the Pentagon from 2005 – 2007. My billet title was Senior Advisors for USMC Issues and Deliberate Plans for the Office of the Secretary of Defense (OSD), Policy Planning. Adrian's billet title was Senior Advisor for Naval Issues and Deliberate Plans, Office of the Secretary of Defense for Policy Planning. We were one of 5 hand-picked Top-Level School graduates from each service assigned as War Planners to the Secretary of Defense. These billets required a Top Secret (TS) security clearance or above, and in most cases, due to the nature of the information we managed, a Top Secret, Sensitive Compartmented Information (TS-SCI) security clearance was required. As such, all work performed for the Secretary of Defense in this capacity was conducted from a Sensitive Compartmented Information Facility (SCIF). Entry and exit was electronically controlled and plans within the SCIF were managed by a SCIF Security Manager who in turn was managed and inspected by the Office of the Secretary of Defense Security Manager. From 2005 – 2007 I was assigned as the SCIF Security Manager.

In addition to my duty as SCIF Security Manager, accountable for all the contents of the SCIF as well as the actions of personnel, their access, training and security clearance management my duties included below and are provided as a representation of what RADM Jansen's would have

been as assigned by the Navy and OSD.

- Assist in developing contingency war plans in support of the President's Global Employment of the Force (GEF)
- Served as the senior military advisor for Marine Corps matters to OSD, with responsibility for U.S. European Command (EUCOM), Central Command (CENTCOM), and Special Operations Command (SOCOM)
- Served as DOD's expert on Global War on Terror (GWOT) planning. Ghost-wrote three Strategic Guidance Statements the Secretary of Defense issued to Combatant Commanders and Joint Staff leadership for GWOT execution, and briefed the Secretary and OSD staff on 30 GWOT regional plans
- Routinely advised Under-Secretary of Defense on Marine Corps major acquisition programming and budget priorities involving all ground, aviation, and command and control programs of record
- Provided the Secretary of Defense briefing materials from which to make strategic decisions on employment of the force as well as detailed understanding of Geographic Combatant commander war plans.

War planner responsibilities were assigned by Geographic Combatant Commander's Area of Responsibilities (AOR) as delineated by the Unified Command Plan (UCP). Communication within the SCIF was classified. Telephonic communication was conducted using a STU-III with key code for encrypted communication. Electronic communication was conducted from 3 separate and distinct electronic mail methods to include Non-Secure Internet protocol Router (NIPR), Secure Internet Protocol Router (SIPR) and Joint Worldwide Information Communication System which allowed TS/SCI communication to occur between users.

During the period I was the SCIF Security Manager I planned and oversaw 3 OSD Policy Planning SCIF facility moves within the pentagon without incident. In the two years I supervised RADM Jansen annual security training, security certification, electronic communication, and classified activity there was never an incident involving leakage, spillage or other violation. In fact, he would regularly challenge entrants into the SCIF as to their business in the SCIF and reminded them that escorts were required for all personnel not assigned permanently. Adrian knew the rules and ensured all within the SCIF adhered to them.

I had on occasion, the opportunity and pleasure to be with Adrian and his wife in social settings both in and around the District of Columbia. I have also been guests in their home. Each occasion was a joy to be with those I consider professional colleagues as well as good friends. While I have not had a great deal of contact with Adrian since his promotion to Rear Admiral he remains a colleague that I would trust in any clime and place. As a consultant for Booz Allen Hamilton within the Department of Defense business I would not hesitate to recruit RADM Jansen as a valued employee and colleague in our values based and "Trusted-Workforce Environment."

While the charges against him are serious, given my experience, understanding, and observations of his work and understanding of security matters, I would remain steadfast in my opinion that his actions did not rise to the level of security clearance revocation. He should be allowed to

maintain his clearance and continue, in whatever capacity the BOI decides, as a retired Naval Officer. His actions did not result in serious or grave consequences for the United States.

I believe the following list of individuals would corroborate observations and second my recommendation:



It is my hope this reference offers a helpful perspective of my association with RADM Jansen and my recommendation worthy of consideration. I am available for questions or interview if necessary.

Sincerely,

A handwritten signature in blue ink that reads "Dale M. Atkinson".

Dale M. Atkinson



August 9, 2018

TO WHOM IT MAY CONCERN:

From: Thomas J. Culora, CAPT, USN (ret)

Subject: CHARACTER STATEMENT ICO REAR ADMIRAL ANDRIAN JANSEN

I am Thomas J. Culora, a retired Navy Captain now serving in a senior civilian position (SES equivalent) as Dean of the Center for Naval Warfare Studies (CNWS) at the US Naval War College (NWC), Newport, Rhode Island. During my 28-year naval career I served in a variety of sea and shore commands including two command tours – one as Commanding Officer of a Helicopter Maritime Strike Squadron (HSM) and as Commanding Officer of USS BOXER (LHD-4) an amphibious assault carrier. My shore duty included time as a special assistant to the Chairman of the Joint Chiefs of Staff, as Deputy Director of Navy Strategy and Policy (N5) and as Aide to the Chief of Naval Education and Training. I hold two masters degrees in security studies and international affairs and while on active duty was a Fellow at Harvard University's Olin Institute and at the Council on Foreign Relations in New York.

Since 1982 I have continuously held a TOP SECRET Clearance and currently retain a TOP SECRET/SCI clearance with access to compartmentalized programs. During my time on active duty and during my nine years at the NWC, I have never mishandled classified material nor have I received any warning or committed any infraction regarding the handling of classified material. In my current role as Dean of CNWS, I oversee over 150 military and civilian faculty and staff, nearly all of whom hold SECRET or TOP SECRET/SCI clearances. I am responsible for dozens of research programs involving classified information including programs requiring access to SAP and STO information. I am responsible for ensuring the proper handling of classified material and for making recommendations to the President of the College regarding the granting of access to classified materials for the personnel under my area of responsibility.

I met Admiral Jansen in December 2003 when he relieved me as Executive Officer on USS BOXER. Our relationship began in earnest in June 2004 when I returned to assume duties as Commanding Officer, USS BOXER, with then Captain Jansen as the ship's Executive Officer. During this period which ran from June 2004 until July 2005, I had daily and frequent professional and personal contact with him. Most of our social interaction revolved around work-related activities. Following his departure from BOXER in July 2005 we had infrequent contact of roughly two to three times per year of both a professional and social nature and I consider myself his colleague and a friend to him and (b)(6), (b)(7)(C) From 2007 until late-2008, both Admiral Jansen and I were stationed at the Pentagon where we saw each other more frequently (approximately once a month) socially including dinners and time spent at our respective residences. I have not been in contact with him since late 2014.

During the period where I had the most contact with Admiral Jansen he was supremely loyal, reliable, truthful and forthcoming. He had then, and still has, my utmost trust and confidence. He is a quiet patriot who has dedicated his entire adult life to the defense and security of the United States. I have never know him to put himself ahead of this peers or subordinates – he can always be counted on to put the welfare of others before himself. Moreover, I have never

observed or known him to make any decision that would result in his own self-aggrandizement or for personal advantage. During my time with him on USS BOXER he never once mishandled information and always took great care with classified documents and information.

As a naval professional I have been very aware of the developments, implications and fallout from the Glenn Marine Defense Asia (GDMA) legal case and its impact on the US Navy and I am fully aware of the specific details of the case involving Admiral Jansen. It is clear that individual naval officers had willfully and intentionally taken substantive actions, revealed classified information and used their unique positions for material and monetary gain. It is also clear that Mr. Leonard Francis, in an effort to mitigate the sentencing in his case, provided information on a wide range of senior and mid-level officers who had taken various gifts and dinners from him or GDMA, a prohibited source under joint ethics rules. This activity, while clearly a violation of the rules, had become "normative practice" in the Pacific AOR making the context somewhat unclear and the bright line of a violation less discernable. Many talented and honorable naval officers were subject to these conditions, made minor errors in judgement for little material gain and paid significant professional penalties as a result.

Having said that, it is no surprise to me that Admiral Jansen has forcefully accepted responsibility for his shortcomings and lapse of judgement. He is the type of person who is always ready to step forward and bear responsibility no matter the consequences. However, in my opinion, his actions would in no way make him susceptible to foreign influence or manipulation. Nor do I believe would he ever now or in the future take any action that would place him such a position. This is a highly honorable, supremely loyal and ultimately trustworthy individual who exhibited an isolated and minor lapse of judgment. This lapse, while notable and unfortunate, should be taken in the larger context of a naval career that has been dedicated to service in the most demanding and extreme environments by an officer who can and should be given the opportunity to retain his security clearance so that he can continue to contribute to the defense and security of the country.

I am fully aware of the statement of reasons why Admiral Jansen's security clearance is being revoked and have carefully and thoughtfully considered all of the information of his case.

**With all of this in mind and with my extensive background in using classified information and managing personnel who handle classified information,
I strongly recommend that he be allowed to retain his security clearance.**

I do not make this recommendation lightly nor would I be reluctant to recommend against his retaining his security clearance if in my professional judgement this was warranted.

I declare that to the best of my knowledge, under penalty of perjury that the foregoing is true and correct.



Thomas J. Culora

TO WHOM IT MAY CONCERN:

August 6, 2018

From: CAPT(ret) Kenneth L. Williams, USN

Subject: Character Statement for Admiral Adrian Jansen

1. I, Kenneth Williams, am currently retired from the U.S. Navy after 27 years of service having commanded two ships a MCM Division and a squadron. During the majority of these years I was granted a TS SCI clearance and fully appreciate and understand the necessity of protecting classified information and the need to know. In my position today with Raytheon Company I still protect classified information while retaining such a clearance. The damage to the country should such information be disclosed is not lost on me or those with whom I work.
2. I have known Admiral Jansen since 1985 when we served together on USS CONSTELLATION (CV 64). LTJG Jansen was an ideal leader and mentor during this tour and my career. I also worked very closely with him as Captains on the Navy staff (OPNAV). He was the Executive Assistant (EA) to Director of Expeditionary Warfare (OPNAV N85) and I was the EA to the Director of Surface Warfare (N86). In these positions we worked closely coordinating resources to help develop advanced future warfighting capabilities for the fleet. During this entire period Admiral Jansen properly protected and maintained all classified materials for which he was accountable.
3. I have been provided a copy of the Statement of Reasons (SOR) and am fully aware of Admiral Jansen's contact with Glenn Defense Marine Asia (GDMA) and Leonard Francis during his assignment as Naval Attache assigned to the Defense Intelligence Agency in Malaysia. I find it incredible that Navy would be surprised by him having contact with him while living in the GDMA's back yard. I have always found the Admiral to be an honest and stand-up person and one who took full responsibility for his actions. However, I am also confident that Admiral Jansen would never disclose classified information to anyone without the proper clearance and a need to know. Furthermore, he is not one that could ever be coerced into any such disclosure.
4. I trust Admiral Jansen with my life and those of my shipmates and family. In my opinion he should retain access to classified information for the nation to continue to leverage his experience and talents in ways that further help ensure our security today and tomorrow.
5. I declare under penalty of perjury that the foregoing is true and correct.
6. My contact information is: (b)(6)


K. L. Williams

Enclosure 7.f.

9 August 9, 2018

TO WHOM IT MAY CONCERN:

From: Robert L. P'Anson, Senior Intelligence Officer (Retired), Defense Intelligence Agency

Subj: Character Statement for Admiral Adrian Jansen

1. I am Robert L. P'Anson, a recently retired senior intelligence professional with more than 34 years service at the Defense Intelligence Agency (DIA) and an additional 11 years serving as a consultant to the National Geospatial Intelligence Agency. I held a TS/SCI security clearance for 45 years. Throughout my career I worked directly with over 11 different defense attache offices. I spent years working with and leading many joint intelligence teams comprised of officers from all Services, and as a DIA operative, I have served in many countries throughout the world, including the Far East. As a Division Chief and Senior Intelligence Officer at the DIA, I rated and supervised many field grade officers, and frequently consulted directly with flag rank officers and members of Congress.

2. I have known RDML Jansen since he moved across the street from me nearly ten years ago, as he began his Defense Attaché training at the Defense Intelligence Agency. As a veteran DIA agent, I took great interest in conversations I had with RDML Jansen as he prepared for the challenges he was to take on in his duty assignments to Indonesia and China working for DIA. In my line of work, you have to become a good judge of character or you will fail. I have never known RDML Jansen to speak about sensitive details of his work with anyone. I have observed that he is always very respectful of privacy, classified information, and rules and restrictions. From my experiences, I recognized RDML Jansen to be an exceptional officer who has all the attributes of a superb leader and a person. My frequent social and personal contact with RDML Jansen gives me great confidence that he can be counted on and trusted with this nation's most sensitive intelligence material, even in the most demanding of situations. I know that many of his neighbor's (a few who happen to be retired military) share these same views of RDML Jansen, and he has an outstanding reputation in our community.

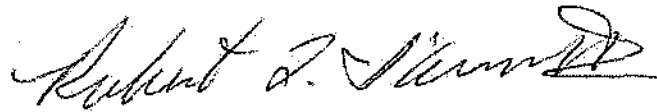
3. I am aware of RDML Jansen's security clearance issues and have been provided with a copy of the Statement of Reasons (SOR) in this case. After a thorough review of this document, my opinion (based on working numerous security clearance issues, violations of coworkers and officers, and working with the FBI on foreign influence cases throughout my career) is that the SOR fails to show issues of Foreign Influence, the security incidents cited are "routine" violations that often occur during an intelligence career (I've committed a few myself), and none of the reasons cited warrant the denial a security clearance. I am not suggesting that RDML Jansen is perfect. He makes mistakes like the rest of us, but he has always been honest and forthright about it. RDML Jansen's discussions with me indicate that he remains deeply committed to continue to work in ways to serve our country. He conveys to me in all our discussions a strong sense of duty, which applies in his job, family, and community.

Based on the experience and instincts I developed in 34 years in the DIA, and on my knowledge of what RDML Jansen has to offer and who he is, I strongly urge that Admiral Jansen be

Enclosure 7.g. p 1/2.

Subj: LETTER ON BEHALF OF RDML ADRIAN JANSEN, USN

approved for a security clearance. I declare under the penalty of perjury that the foregoing is true and correct.

A handwritten signature in cursive script, appearing to read "Robert L. P'Anson".

/S/
Robert L. P'Anson

Enclosure 7.g. p 2/2

Report of Non-Judicial Punishment with endorsements



DEPARTMENT OF THE NAVY
COMMANDER
UNITED STATES FLEET FORCES COMMAND
1562 MITSCHER AVENUE SUITE 250
NORFOLK VA 23551-2487

5812
Ser CDA/87
17 Mar 2017

SECOND ENDORSEMENT on COMUSFLTFORCOM ltr 5812 Ser CDA/76 dtd 24 Feb 17

From: Commander, U.S. Fleet Forces Command

To: Commander, Navy Personnel Command (N00F)

Subj: NONJUDICIAL PUNISHMENT REPORT ICO RDML ADRIAN J. JANSEN, USN,

(b)(6), (b)(7)(C) 1710

1. Forwarded.

(b)(7)(C)

By direction of the Commander

16 Mar 17

FIRST ENDORSEMENT on Report of NJP

From: (b)(6), (b)(7)(C) JAGC, USN, Defense Counsel
(b)(6), (b)(7)(C) JAGC, USN, Defense Counsel
To: Commander, U.S. Fleet Forces Command

Subj: NONJUDICIAL PUNISHMENT REPORT ICO RDML A.J. JANSEN, USN,
(b)(6), (b)(7)(C) /1710

Ref: a. Report of NJP

1. Reference (a) has been received. RDML Jansen requests to be allowed to retire in his current pay-grade, and we believe that consideration of the totality of the circumstances will support that. He has taken responsibility at NJP for what he did, and he will address specific recommended administrative actions individually.

//S//

//S//

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subj: NONJUDICIAL PUNISHMENT REPORT ICO RDML A.J. JANSEN, USN,

(b)(6), (b)(7)(C)

1710

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served electronically on trial counsel on 17 March 2017.

//S//

(b)(6), (b)(7)(C)

//S//

(b)(6), (b)(7)(C)



DEPARTMENT OF THE NAVY
COMMANDER
UNITED STATES FLEET FORCES COMMAND
1562 MITSCHER AVENUE SUITE 250
NORFOLK VA 23551-2487

5812
Ser CDA/76
24 Feb 2017

From: Commander, U.S. Fleet Forces Command
To: Commander, Navy Personnel Command (N00F)
Via: (1) Rear Admiral Adrian J. Jansen, USN
(2) Commander, U.S. Fleet Forces Command

Subj: NONJUDICIAL PUNISHMENT REPORT ICO RDML ADRIAN J. JANSEN, USN,
(b)(6), (b)(7)(C) 1710

Ref: (a) MILPERSMAN 1611-010
(b) DoD Manual 1348.33, Volume 4

Encl: (1) Report and Disposition of Offense (NAVPERS 1626/7) w/ enclosures
(2) RDML Jansen, USN, ltr of 13 Feb 2017
(3) Summary of NJP proceedings
(4) Commander, USFFC ltr of 17 Feb 2017 and RDML Jansen Endorsement
(5) RDML Jansen Voluntary Retirement Request of 13 Feb 2017
(6) Military Awards Order Number 100-21 dtd 10 Apr 2013

1. Per reference (a), this Report of Misconduct in the case of RDML Adrian Jansen is forwarded for review and action. On 10 February 2017, nonjudicial punishment (NJP) was imposed on RDML Jansen for violation of Uniform Code of Military Justice Article 92, three specifications of a violation of a lawful order and two specifications of dereliction of duty. Enclosure (1) contains the report and disposition of offenses from the proceedings, the pre-mast procedural documents, including the agreement related to accepting NJP and waiving the statute of limitations and information considered by me at Admiral's Mast, including submissions by RDML Jansen. Enclosure (3) is a summary of the NJP proceedings. Enclosure (4) is the punitive letter of reprimand that was issued to RDML Jansen as a result of Admiral's Mast, along with RDML Jansen's acknowledgement of receipt of the punitive letter and his desire not to submit a statement. Enclosure (5) is RDML Jansen's Voluntary Retirement request of 13 Feb 2017. Enclosure (6) is RDML Jansen's end of tour award for the time period covered by the offenses adjudicated at Admiral's Mast.

2. Pursuant to a written agreement, RDML Jansen waived the statute of limitations applicable to NJP proceedings and accepted NJP. At Admiral's Mast, in accordance with the agreement, RDML Jansen pled guilty to the charge and four specifications of violations of Article 92 (three orders violations related to the Joint Ethics Regulations and one dereliction of duty). I found RDML Jansen guilty of the remaining specification of negligent dereliction of duty at mast, and found RDML Jansen guilty of all others in accordance with his pleas. I awarded him a punitive letter of reprimand and forfeiture of \$3,750.00 pay per month for two months. By his actions, RDML Jansen has shown his character is not in keeping with the standards expected of a naval officer.

Subj: NONJUDICIAL PUNISHMENT REPORT ICO RDML ADRIAN JANSEN, USN,

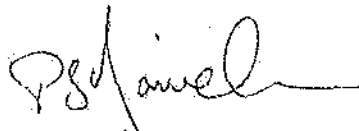
(b)(6), (b)(7)(C)

1710

3. Details of the hearing and the circumstances of the offenses are set forth in enclosure (3). A copy of the punitive letter of reprimand and RDML Jansen acknowledgement of receipt of his punitive letter of reprimand and intent to not make a statement in response is attached as enclosure (4).
4. Pursuant to his agreement regarding these proceedings, RDML Jansen did not appeal his nonjudicial punishment. Accordingly, nonjudicial punishment is now final and shall be reflected in his fitness report that covers the date it was imposed.
5. After fully reviewing the facts of this case, the following administrative actions are recommended:
 - a. I recommend that RDML Jansen's End of Tour Award for the time period of the offenses, contained at enclosure (6), be revoked in accordance with reference (b).
 - b. I recommend that RDML Jansen's continued eligibility for a security clearance be adjudicated by the Department of Defense Central Adjudication Facility (DoD CAF) in light of the misconduct adjudicated at Admiral's Mast.
 - c. I do not recommend that RDML Jansen be required to show cause for retention as RDML Jansen has submitted a voluntary retirement request at enclosure (5) in accordance with his agreement related to these proceedings. I recommend that he be allowed to retire at the earliest opportunity and I recommend retirement in the grade of O-6.
6. By copy hereof, RDML Jansen is notified of his right, per reference (a), to submit his comments, within 10 days of receipt, concerning this report of nonjudicial punishment and letter of reprimand, which will be included as an adverse matter in his official record. His comments or declination to make a statement will be reflected in his endorsement to this letter.

7. Point of contact for this matter is my Fleet Judge Advocate, (b)(7)(C) at

(b)(7)(C)


P. S. DAVIDSON

Copy to:
DoD CAF w/ NAVPERS 1626/7
CNIC (N00J) w/o encl
Director, Defense Intelligence Agency
Attn: Military Branch Awards w/ NAVPERS 1626/7 and enclosure 6

ENCLOSURE 1

REPORT AND DISPOSITION OF OFFENSE(S)
NAVPERS 1626/7

To: Commander, U.S. Fleet Forces Command

Date of Report: 27 January 2017

I hereby report the following named person for the offense(s) noted:

NAME OF ACCUSED	SERIAL NO.	SOCIAL SECURITY NO.	RATE/GRADE	BR. & CLASS	DIV/DEPT
JANSEN, Adrian J.	N/A	(b)(6), (b)(7)(C)	RDML/O7	USN	

PLACE OF OFFENSE(S)

At or near Jakarta, Indonesia

At or near Bali, Indonesia

At or near Jakarta, Indonesia

DATE OF OFFENSE(S)

On or about 7 December 2011

On or about 20 October 2012

On or about 19 June 2013

DETAILS OF OFFENSE(S) (Refer by Article of UCMJ if known. If unauthorized absence, give following info: time and date of commencement, whether over leave or liberty, time and date of apprehension or surrender and arrival on board, loss of ID card and/or liberty card, etc.):

Charge: Violation of UCMJ Article 92

Specification 1 (Violation of Lawful Order): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, did, at or near Jakarta, Indonesia, on or about 7 December 2011, fail to obey the same by wrongfully accepting a gift of a value exceeding permissible limits from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of food and beverages purchased for RDML Jansen and the said RDML Jansen (b)(6), (b)(7)(C) in violation of 5 C.F.R. 2635.202.

SEE CONTINUATION PAGE

NAME OF WITNESS	RATE/GRADE	DIV/DEPT	NAME OF WITNESS	RATE/GRADE	DIV/DEPT
(b)(6), (b)(7)(C)		JAGC, USN	(b)(6), (b)(7)(C)		USN
Assistant Fleet Judge Advocate			(b)(6), (b)(7)(C)		
(Rate/Grade/Title of person submitting report)			(Rate/Grade/Title of person submitting report)		

I have been informed of the nature of the accusation(s) against me. I understand I do not have to answer any questions or make any statement regarding the offense(s) of which I am accused or suspected. However, I understand any statement made against me in event of trial by court-martial (Article 31, UCMJ).

Witness

(b)(6), (b)(7)(C)

Acknowledged:

Adrian J. Jansen
(Signature of Accused)

PRE-ARREST
RESTRAINT

☐ PRE-TRIAL
CONFINEMENT

☒ NO RESTRICTION

☐

RESTRICTED: You are restricted to the limits of

In lieu of arrest by order of the CO. Until your status as a restricted person is terminated by the CO, you may not leave the restricted limits except with the express permission of the CO or XO. You have been informed of the times and places which you are required to muster.

(Signature and title of person imposing restraint)

(Signature of Accused)

INFORMATION CONCERNING ACCUSED						
CURRENT ENL DATE	EXPIRATION CURRENT ENL DATE	TOTAL ACTIVE NAVAL SERVICE	TOTAL SERVICE ON BOARD	EDUCATION	AFQT	AGE
15 Dec 1984	INDEF	32 yrs 1 mos	N/A	N/A	N/A	(b)(6), (b)(7)(C)
MARITAL STATUS	NO. DEPENDENTS	CONTRIBUTION TO FAMILY OR QTRS. ALLOWANCE (Amount required by law)		PAY PER MONTH (including sea or foreign duty pay, if any)		
(b)(6), (b)(7)(C)		N/A		\$13,006; H = \$6,503		

RECORD OF PREVIOUS OFFENSE(S) (Data type action taken etc. Nonjudicial punishment incidents are to be included.)
None known.

Charge: Violation of UCMJ Article 92 (continued)

Specification 2 (Violation of Lawful Order): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, did, at or near Bali, Indonesia, on or about 20 October 2012, fail to obey the same by wrongfully accepting a gift of a value exceeding permissible limits from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of food and beverages purchased for RDML Jansen and the said RDML Jansen (b)(6), (b)(7)(C) in violation of 5 C.F.R. 2635.202.

Specification 3 (Violation of Lawful Order): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, did, at or near Jakarta, Indonesia, on or about 19 June 2013, fail to obey the same by wrongfully accepting a gift of a value exceeding permissible limits from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of food, beverage, and two bottles of wine purchased for RDML Jansen in violation of 5 C.F.R. 2635.202.

Neuliant
Specification 4 (Willful Dereliction of Duty): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, who knew of his duties, at or near Jakarta, Indonesia, on divers occasions from about December 2011 to about June 2013, was derelict in the performance of those duties in that he (b)(6), (b)(7)(C) willfully failed to report contacts with Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a foreign national, to the Office of the Defense Attaché, as it was his duty to do.

Specification 5 (Willful Dereliction of Duty): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, who knew of his duties, at or near Jakarta, Indonesia, on divers occasions from about December 2011 to about June 2013, was derelict in the performance of those duties in that he willfully failed to report acceptance of gifts from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, to the Office of the Defense Attaché, as it was his duty to do.

AND NO OTHERS

PRELIMINARY INQUIRY REPORT

From: Commander

Date:

To: N/A

1. Transmitted herewith for preliminary inquiry and report by you, including, if appropriate in the interest of justice and discipline, the preferring of such charges as appeal to you to be sustained by expected evidence.

REMARKS OF DIVISION OFFICER (Performance of duty, etc.)

N/A

NAME OF WITNESS	RATE/GRADE	DIV/DEPT	NAME OF WITNESS	RATE/GRADE	DIV/DEPT

RECOMMENDATION AS TO DISPOSITION

☐ REFER TO COURT-MARTIAL FOR TRIAL OF ATTACHED CHARGES.
(Complete Charge Sheet (PD Form 458) through Page 2)

☐ DISPOSE OF CASE AT MAST

☐ NO PUNITIVE ACTION NECESSARY OR DESIRABLE

☐ OTHER

COMMENT (Include data regarding availability of witnesses; summary of expected evidence; conflicts in evidence, if expected. Attach statements of witnesses; documentary evidence such as service record entries in UA cases, items of real evidence, etc.)

(Signature of Investigating Officer)

ACTION OF EXECUTIVE OFFICER

☐ DISMISSED

☐ REFER TO CAPTAIN'S MAST

SIGNATURE OF EXECUTIVE OFFICER

RIGHT TO DEMAND TRIAL BY COURT-MARTIAL

(Not applicable to persons attached to or embarked in a vessel)

I understand that nonjudicial punishment may not be imposed on me if, before the imposition of such punishment, I demand in lieu thereof trial by court-martial. I therefore (do) (do not) demand trial by court-martial.

(b)(6), (b)(7)(C)

SIGNATURE OF ACCUSED

ACTION OF COMMANDING OFFICER

☐ DISMISSED

☐ DISMISSED WITH WARNING (Not considered NJP)

☐ ADMONITION: ORAL IN WRITING

☒ REPRIMAND: ORAL IN WRITING

☐ REST: TO _____ FOR _____ DAYS

☐ REST: TO _____ FOR _____ DAYS WITH SUSP. FROM DUTY

☒ FORFEITURE: TO FORFEIT \$ 3750 PAY PER MO. FOR 2 MO(S)

☐ CONF. ON _____ 1, 2, OR 3 DAYS

☐ CORRECTIONAL CUSTODY FOR _____ DAYS

☐ REDUCTION TO NEXT INFERIOR PAY GRADE

☐ REDUCTION TO PAY GRADE OF _____

☐ EXTRA DUTIES FOR _____ DAYS

☐ PUNISHMENT SUSPENDED FOR _____

☐ REFER TO ART. 32 INVESTIGATION

☐ RECOMMENDED FOR TRIAL BY GCM

☐ DETENTION: TO HAVE \$ _____ PAY PER MO. FOR (1, 2, 3) MO(S) DETAINED FOR _____ MO(S)

☐ AWARDED SPCM

☐ AWARDED SCM

DATE OF MAST

10 Feb 2017

DATE ACCUSED INFORMED OF ABOVE ACTION

10 Feb. 2017

SIGNATURE OF COMMANDING OFFICER

10 Feb 2017 USN

It has been explained to me and I understand that if I feel this imposition of nonjudicial punishment to be unjust or disproportionate to the offenses charged against me, I have the right to immediately appeal my conviction to the next higher authority within 5 days.

SIGNATURE OF ACCUSED

10 Feb 2017

DATE

I have explained the above rights

SIGNATURE OF WITNESS

(b)(6), (b)(7)(C)

DATE:

10 Feb 2017

FINAL ADMINISTRATIVE ACTION

APPEAL SUBMITTED BY ACCUSED

DATED:

FORWARDED FOR DECISION ON:

FINAL RESULT OF APPEAL:

APPROPRIATE ENTRIES MADE IN SERVICE RECORD AND PAY ACCOUNT ADJUSTED WERE REQUIRED

DATE:

(Initials)

FILED IN UNIT PUNISHMENT BOOK

DATE:

(Initials)

NAVPERS 1628/7 (Rev. 12-86) (BACK)

PRE-MAST PROCEDURAL DOCUMENTS

**ADMIRAL'S MAST
ACCUSED'S ACKNOWLEDGEMENT OF APPEAL RIGHTS**

I, RDML ADRIAN J. JANSEN, USN, assigned or attached to U.S. Fleet Forces Command, located at or near Norfolk, Virginia, have been informed of the following facts concerning my rights of appeal as a result of Admiral's Mast held on 3 February 2017.

- a. Except as provided in subsection (f) below, I have the right to appeal my non-judicial punishment to the Vice Chief of Naval Operations.
- b. My appeal must be submitted within a reasonable time. Five working days, excluding weekends and holidays, after the punishment is imposed is normally considered a reasonable time, in the absence of unusual circumstances. Any appeal submitted thereafter may be rejected as not timely. If there are unusual circumstances which I believe will make it extremely difficult or not practical to submit an appeal within five working days, I should immediately advise the officer imposing punishment of such circumstances, and request an appropriate extension of time which to file my appeal.
- c. The appeal must be in writing.
- d. There are only two grounds for appeal; that is:
 - (1) The punishment was unjust, or
 - (2) The punishment was disproportionate to the offense(s) for which it was imposed.
- e. If the punishment imposed included reduction from the pay grade of E-4 or above, or was in excess of: arrest in quarters for 7 days, correctional custody for 7 days, forfeiture of 7 days' pay, extra duties for 14 days, restriction for 14 days, then the appeal must be referred to a military lawyer for consideration and advice before action is taken on my appeal.

f. For good consideration and after consultation with my detailed defense counsel, (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) JAGC, USN, I waive any appeal of NJP imposed on me.

Adrian Jansen 02 FEB 2017
RDML A. J. JANSEN, USN (DATE)

(b)(6), (b)(7)(C)
(SIGNATURE OF WITNESS) (DATE)

SUSPECT'S RIGHTS ACKNOWLEDGEMENT/STATEMENT (See JAGMAN 0170)

FULL NAME (ACCUSED/SUSPECT) ADRIAN J. JANSEN	SSN (b)(6), (b)(7)(C)	RATE/RANK RDML	SERVICE (BRANCH) USN
ACTIVITY/UNIT USFF			DATE OF BIRTH N/A
NAME (INTERVIEWER) PHILIP S. DAVIDSON	SSN N/A	RATE/RANK ADM	SERVICE (BRANCH) USN
ORGANIZATION USFF		BILLET COMUSFLTFORCOM	
LOCATION OF INTERVIEW NSA Hampton Roads, Norfolk., VA		TIME	DATE

RIGHTS

I certify and acknowledge by my signature and initials set forth below that, before the interviewer requested a statement from me, he warned me that:

(1) I am suspected of having committed the following offense(s):
Article 92 (Violation of Lawful Order and Dereliction of Duty) 5 specifications

(A)

(2) I have the right to remain silent; -----

(A)

(3) Any statement I do make may be used as evidence against me in trial by court-martial, -----

(A)

(4) I have the right to consult with lawyer counsel prior to any questioning. This lawyer counsel may be a civilian lawyer retained by me at my own expense, a military lawyer appointed to act as my counsel without cost to me, or both; and -----

(A)

(5) I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview. -----

(A)

(6) If I decide to answer questions now without a lawyer present, I will have the right to stop this interview at any time -----

(A)

WAIVER OF RIGHTS

I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that, -----

(A)

(1) I expressly desire to waive my right to remain silent; -----

(A)

(2) I expressly desire to make a statement; -----

(A)

(3) I expressly do not desire to consult with either a civilian lawyer retained by me or a military lawyer appointed as my counsel without cost to me prior to any questioning; -----

(A)

(4) I expressly do not desire to have such lawyer present with me during this interview; and -----

(A)

(5) This acknowledgement and waiver of rights is made freely and voluntarily by, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me. ----- (C)

(6) I further understand that, even though I initially waive my rights to counsel and to remain silent, I may, during the interview assert my rights to counsel or to remain silent. ----- (C)

SIGNATURE (ACCUSED/SUSPECT)	TIME	DATE
<i>Ad J. Lee</i>	14:40	02 FEB 2017
SIGNATURE (INTERVIEWER)	TIME	DATE
(b)(6), (b)(7)(C)		10 Feb 2017 (actual)

The statement which appears on this page (and the following 39 3 page(s), all of which are signed by me), is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

SIGNATURE (ACCUSED/SUSPECT)

See attached

ADMIRAL'S MAST
ACCUSED'S NOTIFICATION AND ELECTION OF RIGHTS
ACCUSED NOT ATTACHED TO OR EMBARKED IN A VESSEL
RECORD MAY BE USED IN AGGRAVATION IN EVENT OF LATER COURT-MARTIAL

Notification and election of rights concerning the contemplated imposition of non-judicial punishment in the case of
RDML ADRIAN J. JANSEN, USN, assigned to U.S. Fleet Forces Command.

NOTIFICATION

1. In accordance with the requirements of paragraph 4 of Part V, MCM, 2012, you are hereby notified that the Commander, U.S. Fleet Forces Command, is considering imposing nonjudicial punishment on you because of the following alleged offenses:

Charge: Violation of UCMJ Article 92

Specification 1 (Violation of Lawful Order): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, did, at or near Jakarta, Indonesia, on or about 7 December 2011, fail to obey the same by wrongfully accepting a gift of a value exceeding permissible limits from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of food and beverages purchased for RDML Jansen and the said RDML Jansen (b)(6), (b)(7) in violation of 5 C.F.R. 2635.202.

Specification 2 (Violation of Lawful Order): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, did, at or near Bali, Indonesia, on or about 20 October 2012, fail to obey the same by wrongfully accepting a gift of a value exceeding permissible limits from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of food and beverages purchased for RDML Jansen and the said RDML Jansen (b)(6), (b)(7) in violation of 5 C.F.R. 2635.202.

Specification 3 (Violation of Lawful Order): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, did, at or near Jakarta, Indonesia, on or about 19 June 2013, fail to obey the same by wrongfully accepting a gift of a value exceeding permissible limits from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of food, beverage, and two bottles of wine purchased for RDML Jansen in violation of 5 C.F.R. 2635.202.

Specification 4 (Willful Dereliction of Duty): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, who knew of his duties, at or near Jakarta, Indonesia, on divers occasions from about December 2011 to about June 2013, was derelict in the performance of those duties in that he willfully failed to report contacts with Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a foreign national, to the Office of the Defense Attaché, as it was his duty to do.

Specification 5 (Willful Dereliction of Duty): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, who knew of his duties, at or near Jakarta, Indonesia, on divers occasions from about December 2011 to about June 2013, was derelict in the performance of those duties in that he willfully failed to report acceptance of gifts from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, to the Office of the Defense Attaché, as it was his duty to do.

2. The allegations against you are based on the following information:

- a. U.S. Department of Justice, Defense Criminal Investigative Service, and Naval Criminal Investigative Service investigation.

3. You have the right to demand trial by court-martial in lieu of nonjudicial punishment. If you refuse nonjudicial punishment, charges could be referred for trial by special or general court-martial. If charges are referred to a special or general court-martial you will have the right to be represented by counsel. Regardless of whether you accept or refuse nonjudicial punishment, you could be processed for administrative separation based on your misconduct. The maximum punishment that could be imposed if you accept nonjudicial punishment is:

**Forfeiture of ½ months pay per month for two months

**60 days restriction

**30 days arrest in quarters

**Punitive Letter of Reprimand

4. If you decide to accept nonjudicial punishment, you may request a personal appearance before the Commander or you may waive this right.

- a. Personal appearance waived. If you waive your right to appear personally before the Commander, you will have the right to submit any written matters you desire for the Commander's consideration in determining whether or not you committed the offenses alleged, and, if so, in determining an appropriate punishment. You are hereby informed that you have the right to remain silent and that anything you do submit for consideration may be used against you in a trial by court-martial.

- b. Personal appearance requested. If you exercise your right to appear personally before the Commander, you shall be entitled to the following rights at the proceeding:

- (1) To be informed of your rights under Article 31(b), UCMJ;

- (2) To be informed of the information against you relating to the offenses alleged;

- (3) To be accompanied by a spokesperson provided or arranged for by you. A spokesperson is not entitled to travel or similar expenses, and the proceedings will not be delayed to permit the presence of a spokesperson. The spokesperson may speak on your behalf, but may not question witnesses except as the commanding officer may permit as a matter of discretion. The spokesperson need not be a lawyer;

- (4) To be permitted to examine documents or physical objects considered as evidence against you that the Commander has examined in the case and on which the Commander intends to rely in deciding whether and how much nonjudicial punishment to impose;

- (5) To present matters in defense, extenuation, and mitigation orally, in writing, or both;

- (6) To have witnesses attend the proceeding, including those that may offer testimony or evidence against you, if their statements will be relevant and the witness(es) are reasonably available. A witness is not reasonably available if the witness requires reimbursement by the U.S. for any cost incurred in appearing, cannot appear without unduly delaying the proceedings, or if a military witness, cannot be excused from other important duties; and

- (7) To have the proceedings open to the public unless the Commander determines that the proceedings should be closed for good cause. However, this does not require that special arrangements be made to facilitate access to the proceeding.

5. In order to help you decide whether or not to demand trial by court-martial or to exercise any of the rights explained above should you decide to accept nonjudicial punishment, you may obtain the advice of a lawyer prior to any decision. If you wish to talk to a lawyer, a military lawyer will be made available to you, either in person or by telephone, free of charge, or you may obtain advice from a civilian lawyer at your own expense.

ELECTION OF RIGHTS

6. Knowing and understanding all of my rights as set forth in paragraphs 1 through 5 above, my desires are as follows:

a. Lawyer. (Check one or more, as applicable)

☒ I wish to talk to a military lawyer before completing the remainder of this form.

☐ I wish to talk to a civilian lawyer before completing the remainder of this form.

☐ I hereby voluntarily, knowingly, and intelligently give up my right to talk to a lawyer.

(b)(6), (b)(7)(C)

(Signature of witness)

Ad J. Jansen

RDML A.J. JANSEN, USN

10 February 2017 (date)
(Date)

(Note: If the accused wishes to talk to a lawyer, the remainder of this form shall not be completed until the accused has been given a reasonable opportunity to do so.)

☒ I talked to (b)(6), (b)(7)(C) JAGC, USN, a lawyer.

(b)(6), (b)(7)(C)

(Signature of witness)

Ad J. Jansen

RDML A.J. JANSEN, USN

10 February 2017
(Date)

b. Right to refuse nonjudicial punishment. (Check one)

☐ I refuse nonjudicial punishment. I understand that, upon refusal of nonjudicial punishment, charges could be referred against me for trial by special or general court-martial. I also understand that my refusal of nonjudicial punishment does not preclude administrative action against me based on my misconduct. This may include being processed for an administrative discharge which could result in an other than honorable discharge.

☒ I accept nonjudicial punishment. I understand that acceptance of nonjudicial punishment does not preclude further administrative action against me. This may include being processed for an administrative discharge which could result in an other than honorable discharge.

c. Personal appearance. (Check one)

☒ I request a personal appearance before the Commander.

☐ I waive my right to personal appearance. (Check one below)

☐ I do not desire to submit any written matters for consideration.

☒ Written matters are attached.

d. Elections at personal appearance. (Initial one or more)

☒ I request that the following witnesses be present at my nonjudicial punishment proceeding:

NONE

☒ I ~~DO~~ ~~DO NOT~~ (circle one) request that my non-judicial punishment proceeding be open to the public.

(b)(6), (b)(7)(C)

(Signature of witness).

A. J. Jansen

RDML A. J. JANSEN, USN

27 Jan 17

From: (b)(6), (b)(7)(C) Detailed Defense Counsel
(b)(6), (b)(7)(C) JAGC, USN, Defense Counsel
To: Commander, U.S. Fleet Forces Command
Via: (1) (b)(6), (b)(7)(C) JAGC, USN, Trial Counsel
(2) Staff Judge Advocate, U.S. Fleet Forces Command

Subj: PRETRIAL AGREEMENT PROPOSAL ICO UNITED STATES V. RDML ADRIAN J. JANSEN, USN

Encl: CFFC PTA Proposal of 26 Jan 17

1. RDML Jansen accepts and agrees to the terms of the enclosure provided in the previous email I sent you. Per the enclosure, he will waive the statute of limitations on Specification 4 of Charge 1 as long as he is free to plead NOT GUILTY, according to his conscience, to that specification. He understands that you are free to find him guilty or not guilty of that specification based on the evidence in front of you.

2. Because of technical difficulties, RDML Jansen has endorsed this request via email, and he has authorized me to sign on his behalf below.

2. If you have any questions, Defense Counsel can be reached at
or by e-mail at

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

DEPARTMENT OF THE NAVY
Commander, United States Fleet Forces Command

UNITED STATES)	NON-JUDICIAL PUNISHMENT
v.)	
ADRIAN J. JANSEN)	MEMORANDUM OF NON-JUDICIAL
RDML / O-7 / USN)	PUNISHMENT AGREEMENT
)	
)	25 January 2017

I, Rear Admiral Adrian J. Jansen, U.S. NAVY, do freely and voluntarily certify that:

1. For good consideration and after consultation with my detailed defense counsel, I agree to appear at Admiral's Mast and accept imposition of Non-Judicial Punishment (NJP) by Commander, United States Fleet Forces Command, based on violations of Uniform Code of Military Justice (UCMJ) Article 92 (Violation of a Lawful General Order); as outlined in paragraph 11 below. I further agree to waive any appeal of NJP imposed on me and submit a voluntary request for retirement upon conclusion of NJP proceedings.

2. In return, Commander, United States Fleet Forces Command, agrees that he will dismiss the charges and specifications preferred against me on 18 November 2016 without prejudice at the conclusion of NJP proceedings, to ripen into prejudice upon submission of my request for retirement. Commander, United States Fleet Forces Command further agrees to suspend any restriction or arrest in quarters that may be awarded at Admiral's Mast. Commander, United States Fleet Forces Command further agrees to forward and recommend approval of said retirement request, recommend I not be required to show cause for retention in the Naval service, and recommend I be retired in either paygrade O-6 or O-7. I understand that Commander, United States Fleet Forces Command's recommendations are not binding on the show cause authority or separation authority.

3. I have been advised that this offer and Agreement cannot be used against me in the determination of my guilt on any matters arising from the charges and specifications against me if I withdraw from this agreement – or violate a material term of this agreement that would allow Commander, United States Fleet Forces Command to withdraw – and the charges are subsequently referred to a court-martial.

4. I am satisfied with my defense counsel in all respects.

5. My defense counsel has fully advised me of the meaning and effect of imposition of NJP, and its attendant effects and consequences.

6. I understand the maximum punishment available to be imposed at Admiral's Mast for a service member in my pay grade is as follows: (1) a punitive letter of reprimand to be filed in my official military record; (2) arrest in quarters for 30 days; (3) restriction to specified limits for 60 days; and (4) forfeiture of one-half of one month's pay per month for two months. I understand that I may not be reduced in grade as a result of NJP. However, pursuant to the provisions of paragraph two Commander, United States Fleet Forces Command has agreed to suspend any restriction or arrest in quarters awarded.

7. Statute of Limitations: I agree that this Agreement hereby constitutes my consent to this NJP and my complete knowing and voluntary waiver of the statute of limitations that would otherwise apply if this NJP were initiated without a waiver of this right. I understand that I normally would have the right to refuse NJP, and that this NJP is being held outside the two-year statute of limitations, meaning it can only be held if I accept NJP and voluntarily waive the statute of limitations requirement and thereby allow the Government to impose NJP. I agree to this knowingly and voluntarily. I have not been forced or coerced to accept NJP or waive the statute of limitations. My signature on this document indicates my freely-given decision and agreement to waive the statute of limitations to allow this NJP to proceed.

8. I also understand, having discussed this with my counsel, that by agreeing to submit to NJP, I am losing several rights that I would have possessed had this case been referred to a court-martial, including: the right to have my case adjudicated by a panel of members; the right to impose a burden of proof of beyond a reasonable doubt on the Government; the right to hold the Government to the requirements of the Rules of Evidence; the right to confront witnesses against me; and the right to compel production of my own relevant witnesses. I understand that the burden of proof for NJP is a lower standard, more probable than not; that the rules of evidence and Confrontation Clause do not apply, and that I will have to produce any witnesses I intend to call in my own defense.

9. I expressly understand this Agreement will become null and void in the event I fail to submit to NJP.

10. I understand that if this Agreement becomes null and void, Commander, United States Fleet Forces Command is free to refer the charges and specifications preferred on or about 18 November 2016 for trial by court-martial.

11. I will plead as follows:

Charge	Plea
Charge I: Violation of the UCMJ, Article 92	GUILTY
Specification 1 (Violation of Lawful Order): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, did, at or near Jakarta, Indonesia, on or about 7 December 2011, fail to obey the same by wrongfully accepting a gift of a value exceeding permissible limits from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of food and beverages purchased for RDML Jansen and the said RDML Jansen (b) (6), (b) (7) in violation of 5 C.F.R. 2635.202.	GUILTY
Specification 2 (Violation of Lawful Order): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, did, at or near Bali, Indonesia, on or about 20 October 2012, fail to obey the same by wrongfully accepting a gift of a value exceeding permissible limits from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of food and beverages purchased for RDML Jansen and the said RDML Jansen (b) (6), (b) (7) in violation of 5 C.F.R. 2635.202.	GUILTY

Specification 3 (Violation of Lawful Order): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, having knowledge of a lawful order issued by the Secretary of Defense, to wit: Paragraph 2-100 of the Joint Ethics Regulation, Department of Defense 5500.07-R, as implemented by Department of Defense Directive 5500.07, dated 9 November 2007, an order which it was his duty to obey, did, at or near Jakarta, Indonesia, on or about 19 June 2013, fail to obey the same by wrongfully accepting a gift of a value exceeding permissible limits from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, in the form of food, beverage, and two bottles of wine purchased for RDML Jansen in violation of 5 C.F.R. 2635.202.	GUILTY
Specification 4 (Willful Dereliction of Duty): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, who knew of his duties, at or near Jakarta, Indonesia, on divers occasions from about December 2011 to about June 2013, was derelict in the performance of those duties in that he willfully failed to report contacts with Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a foreign national, to the Office of the Defense Attache, as it was his duty to do.	NOT GUILTY
Specification 5 (Willful Dereliction of Duty): In that Rear Admiral (Lower Half) Adrian J. Jansen, U.S. Navy, Office of the Chief of Naval Operations, on active duty, who knew of his duties, at or near Jakarta, Indonesia, on divers occasions from about December 2011 to about June 2013, was derelict in the performance of those duties in that he willfully failed to report acceptance of gifts from Mr. Leonard Francis, owner of Glenn Defense Marine Asia, and a prohibited source, to the Office of the Defense Attache, as it was his duty to do,	GUILTY

12. It is expressly understood that I will not commit any misconduct chargeable under the Uniform Code of Military Justice between the date both parties have signed this Agreement and the date of my NJP. Any misconduct on my part after both parties have signed this Agreement and before the date of my NJP will be grounds for withdrawal from this Agreement by Commander, United States Fleet Forces Command.

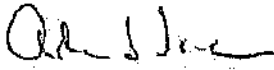
13. Specially-Negotiated Provisions:

a. Date. I agree, and am fully prepared, to go to Admiral's Mast and offer to go to Admiral's Mast at your earliest convenience.

b. Jurisdiction: I agree to be placed on temporary additional duty (TAD) orders to United States Fleet Forces Command in order to facilitate imposition of NJP.

14. This Agreement constitutes all the conditions and understandings of both the Government and myself regarding the pleas and punishment limitations in this case. There are no other Agreements, oral or written, expressed or implied, between myself and Commander, United States Fleet Forces Command, or any other representative of the government.

15. I fully understand, and have discussed with my counsel, the terms, requirements and effects of this agreement. My signature below indicates my freely-given consent to this agreement.



Date: 27 Jan 2017

ADRIAN J. JANSEN
RDML, U.S. Navy
Accused

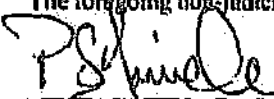
(b)(6), (b)(7)(C)

Date: 27 Jan 2017

for

CDR, JAGC, U.S. Navy
Defense Counsel

The foregoing non-judicial punishment Agreement is approved.



Date: 26 Jan 2017

PHILIP S. DAVIDSON
Admiral, U.S. Navy
Commander, United States Fleet Forces Command

DEFENSE COUNSEL SUBMISSIONS

10 Feb 17

From: RDML Adrian J. Jansen, USN
To: Commander, U.S. Fleet Forces Command

Subj: NJP PERSONAL STATEMENT

Encl: (1) 12 FAM 260
(2) 12 FAM 270
(3) DoDM 5105.21-v3 (Enclosure 2, Para 16.c)

1. First, I want to sincerely apologize for placing you in this position. I do not deny my interaction with Leonard Francis while serving in my capacity as Naval Attaché. In fact, I fully acknowledge that the circumstances, for which I am now facing Nonjudicial Punishment, regardless of the reasons for which I allowed this acquaintance to occur, are fully my responsibility.
2. Nevertheless, I respectfully request that you take into consideration that much of the evidence being used against me was provided by me in my effort to atone for my actions. I deeply regret that I allowed myself to interact with such a despicable individual as Leonard Francis has been proven to be. I should not have let such a situation develop and am horrified that I contributed to this ugly blemish on the Navy's reputation. While the value of the meals or beverages provided by Leonard Francis cannot be estimated, I regret accepting them. But I want to be clear that I never solicited these meals or any other gifts from Leonard Francis or GDMA, and – I want to be very clear on this, as well – they had zero influence on any of my actions while doing my job as Naval Attaché in Indonesia.
3. As Naval Attaché in Indonesia, my actions, right or wrong, were for the sole purpose of advancing the U.S. Navy's goals in developing a robust relationship with the Indonesian Navy. My task was to seek opportunities for enhanced Navy-to-Navy engagement, to foster relationships which were sustainable and that helped to further policy goals, and to ensure in those relationships the United States, and more specifically, the USN, were cast in a favorable light to the Republic of Indonesia. One useful contact I developed was VADM(Ret) Stenny Fofield, of the Indonesian Navy. Still active in Indonesian Navy social circles, I had hoped and believed VADM Fofield would encourage Senior Indonesian Navy Officers to trust and respect me, thereby aiding my ability to fulfill the U.S. Navy's objectives with the Indonesian Navy. Some of the successes of that effort include: Getting the Indonesian Navy to return to full participation in CARAT Exercises after years of rejecting CARAT; getting the Indonesian Navy to participate in a submarine-to-submarine PASEX, and supporting the PASEX by supplying a Corvette to act as safety vessel and flying an Indonesian Navy helicopter to capture photography; and, getting the Indonesian Vice Chief of their Navy to attend, speak at, and participate in a panel discussion at the CNO's hosted International Seapower Symposium.

Subj: NJP PERSONAL STATEMENT

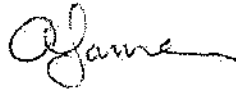
4. While there is no excuse for my conduct, and I do not seek to make excuses, I would like to explain my circumstances. I met with Leonard Francis roughly once per calendar year. VADM Fofield requested the engagements and they were infrequent. I do not specifically know the exact value of each of the meals that I received because I do not recall reviewing the menu's during the meals, which was not out of the ordinary. I did not believe the costs of those meals to be overly excessive and while they were somewhat more than what is permissible in a year or for a circumstance IAW the JER, they were not extraordinary for the environment I operated in and were partly offset by gifts I presented in return. I never offered to remunerate my portion of any meals for a number of reasons. First, at the time I was invited by VADM Fofield to have dinner with Leonard Francis, I did not stop to think about his role as a prohibited source. It was normal for me to be invited to meals by many contacts – this is standard practice for a Naval Attaché anywhere – and knowing I wanted to develop VADM Fofield as a useful contact, I accepted the invitation. I strongly believed that because of the cultural sensitivity of VADM Fofield, that had I rejected his invitations or asked to contribute to the cost of the meals, he would have rebuffed any further efforts on my part to obtain his assistance with the Indonesian Navy. Still, I was wrong to have done this and I should have sought permission. When I did realize my mistake, I should have cleared this with my superiors, but I did not. Second, when any contact invited you to join them for a meal, it was considered an insult to offer to remunerate them for the meal. The same was true when I invited contacts to meals. So to have meals with contacts in this manner was normal practice for someone in my job. This was the case with how I dealt with Francis. I did not treat him differently than anyone else. Lastly, it was also normal to present a gift to the host as a gesture of thanks. This too was the case with Francis. My actions were not for the benefit of personal gain, but were for the purpose of advancing my effort to capitalize on an opportunity to enhance my standing with the Indonesian Navy.

5. As to the Specification that I failed to report Leonard Francis as a Foreign Contact (Specification 4 of Charge I), I plead not-guilty to the charge. As a Military Attaché assigned to a U.S. Embassy, under Chief of Mission (COM) Authority, I was obligated to follow the State Department's Foreign Affairs Manual (FAM) guidelines and DoD Manual in the enclosures. Both have been synchronized and have no requirement for personnel under COM Authority to report all Foreign Contacts, but only those contacts that meet the requirements listed in the FAM. My contact with Leonard Francis did not meet those requirements. Additionally, as a requirement for my posting to Beijing, I underwent a DIA mandated CI Polygraph which required me to answer for any and all Foreign Contact Reporting. I believe it is safe to assume that since I was posted to Beijing, I proved that I met and fulfilled all of my required obligations regarding contact reporting.

Subj: NJP PERSONAL STATEMENT

6. Throughout my tour as the Naval Attaché, I communicated often and regularly with both the staff of Commander, Pacific Fleet, the staff, Commander, 7th Fleet, and the U.S. Embassy Country Team. I ensured that when Navy Leaders came to Indonesia, they also met and engaged the Ambassador and other members of the Country Team. Every visit request, ship exchange request, and Navy-to-Navy activity was discussed and acted upon solely to advance the policy objectives of the U.S. Navy and with the full support the embassy Country Team. I made it clear to both CPF and C7F that our ships should visit Jakarta or Surabaya – Indonesian Fleet Concentration Centers, to foster cooperation with the Indonesian Navy. Port visits to any other locations in Indonesia, including Bali, had limited opportunity for Navy-to-Navy engagement and hence were not good for Theater Security Cooperation. My only purpose in serving as the Naval Attaché was to advance the interests of the people of the United States. I am proud of those efforts and believe I was able to help the U.S. Navy achieve a significant amount of success with those goals during my time in that position. The thought that my interactions with Leonard Francis cast a shadow on my efforts to serve my country, and those positive achievements, causes me great pain.

7. I understand that my association with Leonard Francis reflects very poorly on the Navy, and it does not escape me that my involvement has contributed to an erosion of the special trust and confidence the American people place in the Navy. For that I am very remorseful and humbly apologize for allowing it to happen.



A. J. JANSEN

12 FAM 260 COUNTERINTELLIGENCE

(CT:DS-191; 03-29-2013)
(Office of Origin: DS/DO/ICI)

12 FAM 261 GENERAL

12 FAM 261.1 Program Implementation

(CT:DS-166; 09-12-2011)

- a. The Department's counterintelligence (CI) program is defensive in nature. Its purpose is to deter, detect, and neutralize the threat posed by hostile intelligence services against U.S. diplomatic personnel, facilities, equipment, and information. This protection extends to the Department's direct-hire employees as well as to contractors and dependents of U.S. Government personnel serving abroad under the authority of a chief of mission (COM).
- b. The Office of Investigations and Counterintelligence (DS/DO/ICI) is responsible for the implementation of all CI programs, which the Bureau of Diplomatic Security (DS) coordinates with the Bureau of Intelligence and Research (INR) and other members of the U.S. Intelligence Community. DS/DO/ICI conducts CI investigations (see 1 FAM 262.4-1, paragraph b) and implements the programs described in this subchapter.

12 FAM 261.2 Authority

(CT:DS-166; 09-12-2011)

- a. The Omnibus Diplomatic Security and Antiterrorism Act of 1986, Public Law 99-399, Section 103, authorizes the Secretary of State to develop and implement policies and programs that provide for the security of U.S. Government operations of a diplomatic nature, and foreign government operations of a diplomatic nature in the United States. This mission includes consultation with Federal agencies having personnel under COM authority.
- b. The Secretary of State is authorized to develop and implement a special personnel security program for the Department's employees who are responsible for security at diplomatic and consular posts in high-intelligence threat countries in accordance with Public Law 100-204, Section 155(a).
- c. E.O. 10450 requires the investigation of civilian officers and employees to ensure their initial and continued employment is clearly consistent with national security.
- d. 5 U.S.C. 301 authorizes heads of agencies to prescribe regulations regarding the conduct of employees.
- e. 22 U.S.C. 2651a gives the Secretary of State authority to prescribe regulations relating to duties, functions, and obligations of the Department's employees (see 3 FAM, Personnel).

- f. E.O. 12968 establishes a uniform Federal personnel security program for employees who will be considered for initial or continued access to classified information

12 FAM 261.3 Counterintelligence Working Groups (CT:DS-166; 09-12-2011)

- a. Counterintelligence working groups (CIWGs) review post-specific CI issues on a periodic basis and are chaired by the deputy chief of mission (DCM). The Diplomatic Security Counterintelligence Division (DS/ICI/CI) provides guidance and advice, as necessary, to post CIWGs that perform the following functions:
- (1) Evaluate human intelligence (HUMINT) and technical threats posed by host government and/or foreign intelligence services;
 - (2) Determine the level of vulnerability of existing personnel and facilities;
 - (3) Take appropriate actions to counter an identified threat;
 - (4) Monitor the effectiveness of existing CI plans, programs, and practices; and
 - (5) Coordinate all post CI programs.
- b. See 12 FAH-6, Overseas Security Policy Board (OSPB) Security Standards and Policy Handbook, for CIWG reporting requirements and meeting frequencies. A report of issues addressed at each meeting is submitted to DS/ICI/CI

12 FAM 261.4 Counterintelligence Surveys (CT:DS-166; 09-12-2011)

- a. DS/ICI/CI performs CI surveys at posts identified in the Department's Security Environment Threat List (SETL) as having a critical or high HUMINT threat (the SETL is available on the classified network via links on the Department's Web site). Although surveys are intended for only critical and high HUMINT threat posts, any regional security officer (RSO) may request that DS/ICI/CI perform a CI survey based on a changing threat environment.
- b. CI surveys provide:
- (1) An analysis of the HUMINT threat at the post;
 - (2) An evaluation of the effectiveness of existing post countermeasures; and
 - (3) Recommendations for improving those countermeasures.

12 FAM 262 SECURITY AWARENESS AND CONTACT REPORTING

12 FAM 262.1 Policy

(CT:DS-166; 09-12-2011)

- a. The Department's regulations have long required employees to report contacts with nationals of certain countries, due to both intelligence and terrorism concerns. Presidential Decision Directive/NSC-12 issued specific instructions and mandated that all U.S. Government agencies implement similar programs. The procedures listed in 12 FAM 262.1, paragraph b meet the President's requirement that those who serve in America's most sensitive jobs work with security offices to guard against illegal or unauthorized access to classified or otherwise sensitive information.
- b. All employees and contractors must report:
 - (1) Unofficial contact with a national from a country with critical HUMINT threat posts listed on the Department's SETL if the employee and/or critical threat foreign national suggest, agree to, or actually have a second meeting after an initial encounter;
 - (2) Contact and/or association with a person or organization whom the employee knows or suspects advocate the unlawful overthrow of the U.S. Government;
 - (3) Contact and/or association with a person whom the employee knows or suspects is a member or supporter of foreign terrorist organizations (FTOs), as designated by the Secretary of State (This list is available on the Foreign Terrorist Organizations page.
 - (4) Unofficial contact with a person whom the employee knows or suspects is a member of a foreign intelligence agency, regardless of nationality;
 - (5) Illegal or unauthorized access that is sought to classified or otherwise sensitive information; or
 - (6) The employee's concern that he or she may be the target of actual or attempted exploitation by a foreign entity.
- c. This policy is not intended to limit or impair professional or personal contacts. Its purpose is to protect the security of the United States and its employees while ensuring the privacy of employees and their freedom of association. Further, this policy seeks to ensure that security risks to persons or to the U.S. Government are identified at the earliest possible opportunity and deterred, and that protective steps are taken to avoid compromise of U.S. employees and national security interests. Employees are considered partners in the management of this regulation.
- d. The term "contact" means all manner of personal or impersonal communication and includes, but is not limited to, written, telephonic, electronic mail, text messaging, chat room discussion or other social media, facsimile, wire, and/or amateur radio.

12 FAM 262.1-1 Application

(CT:DS-154; 04-12-2010)

These regulations apply abroad to all U.S. citizen employees of the U.S. Government, civilian or military, whether permanently assigned or sent abroad on a temporary duty (TDY) basis, who are under COM authority, as well as Department employees on the staffs of international organizations. In addition, these regulations apply abroad to contractors of the U.S. Government. Domestically, these regulations apply to all employees and contractors of the Department. These regulations do not apply domestically to employees or contractors of U.S. Government agencies other than the Department.

12 FAM 262.1-2 Legal Authorities

(CT:DS-154; 04-12-2010)

- a. Title I of Public Law 99-399, the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as amended, codified at 22 U.S.C. 4801 et seq.
- b. Presidential Decision Directive of August 5, 1993, entitled, "Security Awareness and Reporting of Foreign Contacts" (PDD/NSC-12).

12 FAM 262.1-3 Implementation

(CT:DS-166; 09-12-2011)

The Office of Investigations and Counterintelligence (DS/ICI/CI) is responsible for administering this program domestically for the Department and abroad through RSOs.

12 FAM 262.2 Security Awareness and Counseling

(CT:DS-166; 09-12-2011)

- a. The regional security officer (RSO) or the post security officer (PSO) must give an arrival briefing to all employees and contractors assigned to the post on a permanent change of station. The briefing must include information on CI issues of concern at the post and contact reporting responsibilities, to include a listing of all current critical HUMINT threat posts and information on where to find the SETL on the Department's classified network. The RSO or PSO must brief TDY personnel on contact reporting responsibilities and other CI issues, as appropriate, but in every case if the TDY is over 25 days. The RSO or PSO is also available to brief adult dependents of employees and contractors on a voluntary basis. (See 12 FAM 263—Counterintelligence Awareness Program.) Domestically, the bureau security officer (BSO) must brief Bureau employees on CI issues.
- b. When an employee reports a contact, the RSO abroad and DS/ICI/CI domestically must conduct checks to determine if information is available, indicating that the foreign national has a background connected with intelligence gathering. The RSO or DS/ICI/CI may, as appropriate, discuss the results of the checks with the employee.

- c. The success of this policy is dependent upon the security awareness of each employee and upon each employee's understanding of and cooperation with its intent. The RSO, PSO, or DS/ICI/CI should alert employees to any suspicious activity or approach by individuals of any nationality. At the post, if an employee is unsure about the circumstances of a contact, the employee must discuss the situation with the RSO or PSO, to determine whether filing a report is necessary. In the United States, employees must consult with DS/ICI/CI.

12 FAM 262.3 Responsibilities and Procedures

12 FAM 262.3-1 RSO and PSO

(CT:DS-154; 04-12-2010)

- a. The RSO or PSO must brief all mission employees, TDY employees, and contractors about the contact reporting policy and obtain their signatures on an Acknowledgement of Policy Format (see 12 FAM Exhibit 262.3-1).
- b. When Foreign Contact Report forms are filed by employees at the post, RSOs or PSOs must review and evaluate the reported information and discuss the investigative results or contact with the employee, providing counseling, as appropriate. RSOs or PSOs must forward contact reports to DS/ICI/CI for additional vetting and processing. The RSO or PSO must promptly report any facts or circumstances of a reported contact with individuals of any nationality to DS/ICI/CI and the employee's parent agency if they appear to:
- (1) Indicate an attempt, intention, or reasonable potential to obtain unauthorized access to classified, sensitive, or proprietary information or technology; or
 - (2) Indicate the possibility that the employee is being targeted for development by a foreign entity or agent of a foreign entity.

12 FAM 262.3-2 Employee Responsibility

(CT:DS-166; 09-12-2011)

- a. Employees and contractors must familiarize themselves with posts listed as critical for HUMINT threat on the SETL at least annually.
- b. Employees and contractors must immediately report any contacts with individuals of any nationality under circumstances referred to in 12 FAM 262.1, paragraph b. In general, employee reporting should occur within one business day after such contact has occurred. If unable to report within this time frame, or unsure about the need to report at all, employees at post should notify the RSO or PSO as soon as practicable. If the RSO/PSO is unavailable, notify the DCM. Domestically, employees must promptly notify either DS/ICI/CI or the security office of their parent agency, as appropriate.
- c. Employees to whom these regulations apply must use Form DS-1887, Foreign Contact Report (available on E-Forms), to report all contacts for which reports are required under 12 FAM 262.1, paragraph b. If the official duty station is a U.S. mission abroad, the report must be submitted to either the RSO or PSO. If the official duty station is in the United States, employees and contractors of the Department must send the Foreign Contact Report to DS/ICI/CI. Form DS-1887 is encrypted

when transmitted and is secure as any online banking transaction an employee may conduct via the Internet. The form will be sent to a DS Special Agent in DS/ICI/CI responsible for the employee's region. A paper copy of Form DS-1887 may be submitted when there is no access to the Department OpenNet.

- d. Failure to comply with 12 FAM 262.1, paragraph b, Policy, for any reason may initiate a DS review of the circumstances leading to the non-compliance. DS will determine whether, considering all facts available upon receipt of the initial information, it is in the interests of the national security to suspend the employee's access to classified information on an interim basis until sufficient information is available to determine whether access to classified information will be reinstated or the employee's clearance will be revoked. DS may also refer such cases to the Bureau of Human Resource's Office of Employee Relations (HR/ER) for the appropriate administrative action, as required.

12 FAM 262.3-3 Post Discretion

(CT:DS-154; 04-12-2010)

Posts may establish additional procedures to suit their particular security situations. Before adopting any additional procedures, the post CIWG should discuss them and then DS, in coordination with the security offices of parent agencies represented at the post, must approve them. All post requirements must be consistent with PDD/NSC-12 and meet the minimum requirements of 12 FAM 262.1, Policy.

12 FAM 262.3-4 Other Agency Discretion

(CT:DS-154; 04-12-2010)

Other than the Department, agencies that are under COM authority may also require their employees under special access programs to follow additional reporting requirements, to the extent that such policies and requirements are consistent with PDD/NSC-12 and 12 FAM 262.1, Policy.

12 FAM 262.3-5 Contact Reports Originating at Post

(CT:DS-154; 04-12-2010)

The RSO or PSO must expedite employee contact reports to DS/ICI/CI or through DS/ICI/CI to the employee's parent agency. DS/ICI/CI must also refer such information to the Central Intelligence Agency (CIA), following procedures agreed to between DS and the CIA.

12 FAM 262.3-6 Contact Reports Originating Domestically (CT:DS-154; 04-12-2010)

DS/ICI/CI must refer contact reports received domestically from employees or contractors of the Department to the Federal Bureau of Investigation (FBI), following procedures agreed to between DS and the FBI.

12 FAM 262.4 Accountability (CT:DS-166; 09-12-2011)

Upon receiving a contact report and if DS/ICI/CI perceives actual or potential security problems relating to an individual of any nationality, DS/ICI/CI or the RSO must advise the employee to take appropriate precautions. A signed acknowledgement of the individual's understanding of these precautions should be obtained and a copy recorded in the Diplomatic Security Counterintelligence Division (DS/ICI/CI). As noted in 12 FAM 262.3-2, paragraph c, Employee Responsibility, disciplinary action and/or suspension of a security clearance may result from an employee's failure to report a contact under the circumstances described in 12 FAM 262.1, Policy.

12 FAM 263 COUNTERINTELLIGENCE AWARENESS PROGRAM

12 FAM 263.1 Policy (CT:DS-166; 09-12-2011)

- a. The RSO or PSO must brief all employees and contractors assigned to the post on permanent change of station. The briefing must include the information on CI. The RSO or PSO should make briefings available to adult dependents of employees and to contractors on a voluntary basis.
- b. This policy applies to all executive branch agencies under COM authority.
- c. For the purpose of this section, the term "contractor" is defined as a U.S. personal services contractor serving under COM authority or an employee of a commercial firm having a contract with the U.S. Government and serving under COM authority.

12 FAM 263.2 CI Awareness Training (CT:DS-166; 09-12-2011)

DS/ICI/CI conducts CI and security awareness training programs, in coordination with the DS Training Center and other agencies, for the following employees and their dependents:

- (1) Ambassadors and DCMs;
- (2) Foreign Service officers;
- (3) Contractors and other Department personnel assigned to critical and high threat CI posts;
- (4) RSOs;
- (5) Diplomatic Security CI special agents;
- (6) Marine security guards;
- (7) Navy Seabees;
- (8) Diplomatic couriers;
- (9) U.S. military attachés; and
- (10) Other U.S. Government agency personnel, as required.

12 FAM 263.3 Post Procedures

(CT:DS-154; 04-12-2010)

Post threat levels are defined and identified on the SETL (classified), which is published by DS.

12 FAM 263.3-1 Low, Medium, and High Counterintelligence-Threat Posts

(CT:DS-166; 09-12-2011)

- a. RSOs or PSOs must provide CI briefings to locally employed U.S. citizens under COM authority and ensure that Foreign Service nationals (FSNs) and third-country nationals (TCNs) are briefed in accordance with the FSN briefing program.
- b. At high-threat posts, RSOs or PSOs should provide CI briefings to TDY personnel and other official visitors. At low- and medium-threat posts, RSOs or PSOs should distribute an unclassified written notice to TDY personnel and other visitors giving them guidance on the local intelligence threat.
- c. RSOs or PSOs must conduct departure security debriefings for all employees and contractors completing a tour of duty at a post. The debriefing must include a discussion of CI matters. Should the RSO or PSO obtain information of a CI concern, he or she must forward a copy of the debriefing to DS/ICI/CI, which must forward a copy to the parent agency.

12 FAM 263.3-2 Critical Human Intelligence-Threat Posts

(CT:DS-178; 05-31-2012)

- a. In addition to the security awareness requirements cited in 12 FAM 262, all executive branch agencies with a presence at critical HUMINT threat posts must review the proposed permanent assignment of all of their employees, contractors, and TDY personnel assigned in excess of 60 days accumulated in 1 year (not necessarily consecutive) to determine their suitability;

b. DS/ICI/CI reviews background investigations and personnel files on all Department employees proposed for permanent assignment to HUMINT-threat posts. DS/ICI/CI evaluates security and suitability factors that could adversely affect suitability for assignment, in light of the heightened HUMINT threat, and any personal vulnerability potentially subject to HUMINT exploitation. DS/ICI/CI prepares a recommendation to the Director General of the Foreign Service (DGHR) with respect to an employee's suitability for assignment to a HUMINT threat post after considering the following circumstances:

- (1) Whether the employee or an immediate family member has an immediate family member still residing in the proposed critical HUMINT threat country;
- (2) Whether the employee or an immediate family member has other family ties in any critical HUMINT threat post where a foreign intelligence service (FIS) could exploit familial bonds of affection;
- (3) Whether the employee has family member(s) currently or recently employed by the critical HUMINT threat country's military armed forces, intelligence or security service, police service, or ministry of foreign affairs;
- (4) Whether the employee has a history of poor security practices (violations of 12 FAM 262 and 12 FAM 550) that are recent and of a serious nature;
- (5) Whether the employee is or has been a known target of interest to a FIS;
- (6) Whether the employee has a history of aberrant behavior such as drug or alcohol abuse or criminal misconduct;
- (7) Whether the employee has demonstrated emotional instability (as determined by the Office of Medical Services (MED));
- (8) Whether the employee has exhibited financial or fiscal management irresponsibility that interferes with his or her performance of duty;
- (9) Whether a past investigation concerning the employee documents a serious allegation concerning misconduct, suitability, or professional ethics that could be exploited by a FIS;
- (10) Whether the employee has had more than one previous assignment to the same critical HUMINT threat post;
- (11) Whether the employee has made an unauthorized disclosure of sensitive or classified information;
- (12) Whether the employee or close family member has demonstrated loyalty to the proposed critical HUMINT threat country of assignment (i.e., previously employed with the FIS or ministry of foreign affairs); and

- (13) Whether the employee has had romantic involvement with citizen(s) of the proposed critical HUMINT threat country of assignment.
- c. The DGHR may accept or reject the recommendation made by DS for the proposed assignment to a critical HUMINT threat post. Upon request, DS must provide any pertinent information regarding the recommendation to the DGHR;
 - d. The Office of Personnel Security and Suitability (DS/SI/PSS) reviews the background investigations of all contractors and employees of contractors proposed for assignment to critical HUMINT threat posts. DS uses the provisions of 12 FAM 263.3-2, paragraph b, Critical Human Intelligence Threat Posts, 12 FAM 570, Industrial Security Program, and 12 FAM 230, Personnel Security, as a basis for adjudicating final determinations on suitability. When there are CI concerns, DS/SI/PSS forwards the investigation to DS/ICI/CI. DS/ICI/CI reviews the investigation and offers a recommendation to DS/SI/PSS. DS/SI/PSS makes the final determination and forwards it to the Industrial Security Division (DS/ISP/IND) to provide to the bureau requesting the contractor's assignment to a critical HUMINT threat post;
 - e. The RSO or PSO must provide CI briefings to locally employed U.S. citizens under COM authority and ensure that FSNs and TCNs are briefed in accordance with the FSN briefing program;
 - f. The RSO or PSO must conduct a CI awareness refresher briefing with all employees annually. The RSO or PSO should make these refresher briefings available to adult dependents on a voluntary basis;
 - g. The RSO or PSO must conduct a routine departure security debriefing for all employees and contractors completing a tour of duty at a post prior to the employee's or contractor's departure. The debriefing must include a discussion of CI matters. Should the RSO or PSO obtain information of a CI concern, he or she must forward a copy of the debriefing to DS/ICI/CI, which must forward a copy to the parent agency; and
 - h. The RSO must notify DS/ICI/CI and the RSO at a gaining post of personnel transfers and then, schedule debriefings. All employees completing a tour of duty must receive a special in-depth CI debriefing conducted by DS/ICI/CI or, in the case of direct transfers, by the RSO or PSO of the gaining post. All contract personnel must receive a special CI debriefing by either DS/ICI/CI or the contractor. All TDY employees must receive a special CI debriefing upon completion of the TDY conducted by DS/ICI/CI or, in the case of TDY from one post to another, by the RSO or PSO of the post of their residence. Employees or contract personnel of agencies other than those of the Department who are returning to Washington, DC, must receive debriefing from the security office of their parent agency; when transferring between posts, the RSO or PSO at the gaining post must debrief other agency personnel to report security concerns or information of interest to their agency or to future travelers. The RSO or PSO should send copies of all special debriefings to the Diplomatic Security Counterintelligence Division (DS/ICI/CI), which will forward a copy to parent agencies. PSOs must also send a copy to the RSO. The RSO must notify DS/ICI/CI and the RSO at a gaining post of personnel transfers so that debriefings can be scheduled.

12 FAM 263.4 Domestic Programs

(CT:DS-166; 09-12-2011)

- a. State only: DS/ICI/CI provides individual and post-specific domestic CI training on a formal and ad hoc basis and arranges for or provides post-specific briefings for individuals on a need-to-know basis.

- b. In cooperation with DS/ICI/CI, the Foreign Service Institute (FSI) sponsors programs for employees assigned to selected critical threat posts. New Department employees attending FSI orientation also receive a segment on CI awareness.
- c. DS/ICI/CI tailors specific programs for specialty professions such as cleared U.S. citizen guards, communicators, Seabees, etc.
- d. DS/ICI/CI also provides CI briefings and policy support to other U.S. Government agencies.

12 FAM 264 PERSONAL TRAVEL TO CRITICAL HUMAN INTELLIGENCE THREAT COUNTRIES

12 FAM 264.1 Scope and Applicability

12 FAM 264.1-1 Scope

(CT:DS-166; 09-12-2011)

- a. These requirements apply to Department employees and contractors, domestically and those of agencies under chief of mission (COM) authority. The Overseas Security Policy Board (OSPB) also cleared these requirements.
- b. The requirements govern personal travel to countries with a critical HUMINT threat level and certain countries where the United States does not have diplomatic relations, which are both listed in the SETL.

12 FAM 264.1-2 Program Responsibility

(CT:DS-154; 04-12-2010)

DS/ICI/CI directly administers this program for the Department's employees stationed domestically and indirectly through the RSO or PSO at posts.

12 FAM 264.2 Travel to Critical HUMINT THREAT POSTS

(CT:DS-166; 09-12-2011)

- a. The criteria in the paragraphs in this section apply to travel to countries in which critical HUMINT threat posts are located, regardless of the threat level where the employee departs from or is stationed.
- b. All employees and contractors of the U.S. Government under COM authority must notify the RSO or PSO at the post of their residence and schedule a CI defensive security briefing at least 2 weeks before starting personal travel to any country with a critical HUMINT threat level, including travel with tour groups. Employees and contractors of the Department stationed domestically must directly notify DS/ICI/CI.

- c. Each employee intending to travel must provide a notification of personal travel using the format in 12 FAM Exhibit 264.2. The RSO, PSO, or DS/ICI/CI must retain this information as part of the permanent record.
- d. The RSO, PSO, or DS/ICI/CI must provide pertinent information from the travel notification to U.S. embassies in the countries listed on the itinerary at least 1 week prior to the traveler's intended departure. (Use the format in 12 FAM Exhibit 264.2.) RSOs or PSOs must also provide copies of their communications to DS/ICI/CI and to the security office of the traveler's parent agency.
- e. The RSO, PSO, or DS/ICI/CI, as appropriate, must provide each traveler with a CI defensive security briefing prior to their travel.
- f. If detained or subjected to significant harassment or provocation while traveling, the travelers must immediately contact the nearest U.S. consul, attaché, RSO, or duty officer. Upon return to the post of their residence or Washington, DC, the traveler must report any unusual incidents, including those of potential security concerns, to the RSO, PSO, or DS/ICI/CI, as appropriate. RSOs and PSOs must in turn report unusual incidents, detention, harassment, provocation, etc. to DS/ICI/CI, which must forward copies of the reports to the traveler's parent agency.
- g. Employees of the Department granted access to sensitive compartmented information (SCI) have no additional travel obligation.
- h. The Department encourages spouses, domestic partners as defined in 3 FAM 1610, and adult dependents of employees to advise the RSO, PSO, or DS/ICI/CI, as appropriate, of their personal travel, and receive any available defensive security briefings, especially those at their post of residence.

12 FAM 265 THROUGH 269 UNASSIGNED

12 FAM Exhibit 262.3-1 ACKNOWLEDGEMENT OF POLICY GOVERNING OFFICIAL AND PERSONAL RELATIONSHIPS WITH CERTAIN FOREIGN NATIONALS AND CONTACT REPORTING RESPONSIBILITIES (FORMAT)

(CT:DS-178; 05-31-2012)

This is to acknowledge that:

I have been briefed on this policy and understand my responsibilities to report contacts and associations with individuals listed in 12 FAM 262.1, paragraph b;

I understand that this policy applies abroad to all U.S. citizen employees of the U.S. Government, civilian or military, including contract employees,

whether permanently assigned or TDY, who are under the authority of a chief of mission. Domestically, this policy applies to employees and contractors of the Department of State;

I understand that my failure to comply with this policy provides grounds for appropriate disciplinary action and/or suspension of my security clearance;

I understand that I should caution my adult dependents about the potential threat from foreign intelligence services and encourage them to report any attempts by foreign nationals to exploit them;

I understand that if I have any questions regarding this policy, I should raise them with the regional security officer or post security officer while abroad and the Department of State's Bureau of Diplomatic Security Counterintelligence Division (DS/ICI/CI) when in the United States.

Signature

Signature

Date

Employee Name (typed or printed) Witnessing Official's Name and Title

Position _____ Post/Bureau

Agency

12 FAM EXHIBIT 264.2
NOTIFICATION OF PERSONAL TRAVEL TO
CRITICAL HUMAN INTELLIGENCE
THREAT POST/COUNTRY (FORMAT)

(CT:DS-176; 05-23-2012)

NOTE:

- **This Information Is To Be Sent Via Classified Means Only.**
- **Do NOT Send This Information Via OpenNet/Intranet or Unclassified Transmission.**
- **Transmission Via Unclassified Means May Be Considered a Mishandling of Classified Information, per 12 FAM 550, Security Incident Program.**
- **Contact the Regional Security Office for assistance.**
- **SECRET/NOFORN**

(When Completed: Use only on the appropriate classified system(s))

DATE:

TO: (RSO; PSO; DS/ICI/CI)

FROM: (Name/Agency) (Post/Section)

TAGS/TERMS: ASEC (and others as appropriate, such as country TAGS)

SUBJECT: Personal Travel to Critical Human Intelligence Threat Post Country(ies)

In accordance with 12 FAM 264.2, Procedures, you are hereby advised of the intended travel to a country with a critical human intelligence threat post. Missions in countries to be visited will respond to this notification only if there is objection to the trip or any aspect thereof.

1. Name of Traveler:
2. Date/Location of Birth:
3. Passport Number and Type:
4. Employing Department or Agency:
5. Title/Functional Position:

6. Names of accompanying dependents (date(s)/place(s) of birth, passport number(s)):
 7. Purpose, itinerary, dates, and means of travel:
 8. Address in each country on itinerary:
 9. Tour, group, or traveling companions:
 10. If traveler or companion has relatives or friends in countries on itinerary, give name, relationship, address, and phone number (if known) and indicate whether contact is to be made:
 11. If, under the laws of the country(ies) to be visited, the traveler has been or might still be a citizen of that country, please give details:
- You may also give additional details as appropriate.

Derived from: 20XX STATE XXXXX, Subject: Security Environment Threat List, dated xxxxx
Source Marked: xx/xx/xxxx

SECRET/NOFORN
(When Completed)

12 FAM 270

SECURITY REPORTING REQUIREMENTS

(CT:DS-231; 03-09-2015)
(Office of Origin: DS/SI and DS/DO/ICI)

12 FAM 271 GENERAL

(CT:DS-143; 02-12-2009)

- a. A national security clearance that is maintained in good standing and can be transferred to another U.S. Government agency prima-facie is a requirement for most Department of State positions and, for those personnel, is considered a condition of continued employment. Therefore, cleared employees and contractors must keep the Department informed of events listed in this subchapter that may affect their eligibility for a national security clearance as they occur.
- b. The following sections outline security-related issues Department employees must report to the Bureau of Diplomatic Security (DS). While this policy is addressed explicitly to employees, cleared contractors working at Department locations and at their own facilities are also required by contract and virtue of holding a security clearance to abide by these standards and reporting requirements.
- c. The reporting obligations detailed in this policy are not exclusive or exhaustive. As a general matter, employees and contractors must cooperate with DS in investigating matters bearing on their eligibility for a security clearance or suitability for employment. To the extent that DS identifies a specific security concern regarding an employee or contractor, DS may discuss an issue that may not otherwise be required as reportable under this policy.
- d. Failure of an employee or contractor to report information required by this policy may result in the initiation of an appropriate investigation, immediate suspension (which may result in a proposal for revocation) of the employee's security clearance, and/or disciplinary action. Failure of a contractor to report information required by this policy may also result in that contractor's temporary or permanent removal from performance on a Department classified contract.
- e. Employees and contractors granted access to sensitive compartmented information (SCI) have additional reporting requirements under the Director of Central Intelligence Directive (DCID) 6/4 (see requirements found in Department Notice Number 2004_09_099, September 28, 2004). You should direct all inquiries concerning those reporting requirements and reporting channels to the Director, Office of Information Security, Special Security Office (DS/SI/SSO), at DS_SSO@state.gov.

12 FAM 272 REPORTING ADVERSE FINANCIAL SITUATIONS AND CERTAIN ARRESTS

(CT:DS-143; 02-12-2009)

- a. Employees should use good judgment and discretion in recognizing and avoiding situations and/or behavior that would call into question their judgment, reliability, and trustworthiness to safeguard information and to hold a position of trust and responsibility.
- b. Employees must immediately report information of a potentially derogatory nature to the Director, Office of Personnel Security and Suitability (DS/SI/PSS) concerning their:
 - (1) Wage garnishments, credit judgments, repossessions, tax liens, bankruptcies, and/or intentions to file for bankruptcy; or
 - (2) Adverse involvement with law enforcement agencies to include:
 - (a) Arrests, other than minor traffic violations, for which a fine or forfeiture of \$150 or more was imposed; or
 - (b) Arrests for "driving under the influence" or "driving while intoxicated."
- c. Arrests must be reported in a timely fashion (i.e., within 72 hours) and must not be delayed pending the conclusion of any judicial action.
- d. Employees with information they believe may have a bearing on another individual's eligibility for access to classified information, as listed in 12 FAM 233.2, should report that information to the Director, DS/SI/PSS.
- e. Reporting pursuant to this section should be in writing and directed to the Director, DS/SI/PSS, and may be either faxed to (571) 345-3191 or sent by mail to DS/SI/PSS, Attn: Director, 11th floor, SA-20. Reports may also be emailed to DSDirectorPSS@state.gov.
- f. Cleared contractors must report information listed in paragraphs b, c, and d of this section to the Industrial Security Division (DS/IS/IND). See 12 FAM 576.4 for additional adverse information reporting requirements.

12 FAM 273 REPORTING DUAL CITIZENSHIP OR INTENT TO BECOME A DUAL CITIZEN

(CT:DS-143; 02-12-2009)

- a. While U.S. citizenship is a basic eligibility requirement for a security clearance, it does not automatically confer the right to a security clearance. DS must consider dual citizenship as a factor in adjudicating a request for a national security clearance. Dual citizenship is considered in context with other circumstances in an individual's background, which is often referred to as the "whole person" concept.

- b. Current cleared employees contemplating applying for citizenship with a foreign country must report to DS/SI/PSS when any act is initiated in furtherance of obtaining foreign citizenship.
- c. Current cleared contractors contemplating applying for citizenship with a foreign country must report this fact to their contracting officer's representative (COR) when any act is initiated in furtherance of obtaining foreign citizenship.
- d. Applicants for initial security clearances must report dual citizenship status or their contemplated application for citizenship of a foreign country when they submit their applicable security forms.

12 FAM 274 REPORTING CERTAIN CONTACTS WITH FOREIGN NATIONALS

(CT:DS-143; 02-12-2009)

- a. Employees and contractors are responsible for using sound judgment when entering into relationships with foreign nationals and seeking advice or counsel from DS/SI/PSS, the regional security office (RSO), or the Office of Investigations and Counterintelligence, Counterintelligence Division (DS/ICI/CI) (as appropriate) concerning those relationships. Employees must maintain an awareness of the applicability of security concerns regarding foreign relationships which involve the potential for influence or pressure to act contrary to the national security or foreign relations interests of the United States.
- b. Bonds of affection or obligation may result from such relationships, and DS must carefully consider such potential bonds in evaluating the possible impact of information of security concern, as established by the national security adjudicative guidelines, on the individual's security clearance eligibility. If these relationships are not otherwise reportable, DS may still seek to discuss them with an employee or contractor to the extent that there is a specific security concern on DS's part, and employees and contractors have a duty to answer DS's questions.

12 FAM 274.1 Authorities

(CT:DS-143; 02-12-2009)

- a. Title I of Public Law 99-399, the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as amended, codified at 22 U.S.C. 4801 et seq.
- b. Presidential Decision Directive of August 5, 1993 entitled, "Security Awareness and Reporting of Foreign Contacts" (PDD/NSC-12).

12 FAM 274.2 Reporting Foreign National Contacts

(CT:DS-143; 02-12-2009)

- a. The Department's policy on counterintelligence contact reporting is fully articulated in 12 FAM 262. This excerpt of salient points is provided in 12 FAM 270 only as a reference to sensitize the

reader to those reporting requirements pertaining to foreign national relationships outside the realm of cohabitation and marriage. Implementation, application, and management responsibilities concerning the Department's counterintelligence contact reporting program are fully outlined in 12 FAM 262.

- b. Reporting contacts with foreign nationals under specific circumstances outlined in 12 FAM 262 provides the Department with an early warning mechanism for protecting the security of the United States by identifying situations involving possible foreign intelligence activities directed against its employees and information. However, the Department must recognize its requirement to ensure the privacy of employees and their freedom of association.
- c. The term "contact" means all manner of personal or impersonal communication and includes, but is not limited to, written, telephonic, electronic mail, text messaging, chat room discussion, facsimile, wire, and amateur radio.
- d. This policy seeks to ensure that security risks to persons or to the U.S. Government are identified at the earliest possible opportunity and deterred, and that protective steps are taken to avoid compromise of U.S. employees and national security interests. This policy is not intended to limit or impair professional or personal contacts. Employees must be considered partners in the implementation and management of this regulation.
- e. All employees and contractors must report:
 - (1) Unofficial contact with a national from a country with critical human intelligence threat (HUMINT) posts listed on the Department's Security Environment Threat List (SETL), which can be accessed on the DS Source Web page, if the employee and/or critical threat foreign national suggest, agree to, or actually have a second meeting after an initial encounter;
 - (2) Contact and/or association with persons or organizations who the employee knows or suspects advocate the unlawful overthrow of the U.S. Government. This reporting requirement includes, but is not limited to, persons who the employee knows or suspects is a member or supporter of foreign terrorist organizations (FTOs) as designated by the Secretary of State (see the list of FTOs);
 - (3) Unofficial contact with a person who the employee knows or suspects is a member of a foreign intelligence agency, regardless of nationality;
 - (4) Illegal or unauthorized access is sought to classified or otherwise sensitive information; or
 - (5) When the employee is concerned that he or she may be the target of actual or attempted exploitation by a foreign entity.
- f. Reports generated as a result of requirements described in 12 FAM 274 and further clarified in 12 FAM 262 must be filed with the RSO abroad or DS/ICI/CI domestically.

Jansen, Adrian RDML OPNAV

From: Squire, Todd J RDML OPNAV, N3N5
Sent: Wednesday, February 08, 2017 18:44
To: Jansen, Adrian RDML OPNAV
Subject: FW: Foreign contact reporting

Adrian,

Please see below.

V/R, Todd

From: (b)(6), (b)(7)(C) MIL
Sent: Wednesday, February 08, 2017 6:24:55 PM
To: Squire, Todd J RDML OPNAV, N3N5
Cc: Squire, Todd J RDML OPNAV, N3N5
Subject: RE: Foreign contact reporting

Sir,

I am well - and in a "good busy" place also.

Funny you should ask this particular question, because I just had my annual CI training. The short answer is "no;" there is not a requirement to report every contact with a foreigner while assigned to an embassy. The more nuanced answer has to do with the nature of the contact, the nature of the relationship and the purpose for which you're reporting them: for "security" or for "CI."

You don't necessarily need to list your professional contacts unless they have become personal contacts of a close and recurring nature. Typically, you would do this on your SF-86 for anyone that you've maintained a relationship with once you left that embassy in order to satisfy your "security" requirement; but you would do this through online Foreign Contact Reporting to satisfy CI requirements (yes, two different processes and requirements). Email and Social Media count too; you don't need to list a contact if it's just an annual email to say Happy New Year (e.g.), but if they're friends on FB or contacts on LinkedIn you're better off listing them (or deleting them).

Hope this is helpful

VR (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

-----Original Message-----

From: Squire, Todd J RDML OPNAV, N3N5 [mailto:(b)(6), (b)(7)(C)]

Sent: Wednesday, February 08, 2017 9:22 AM

To: (b)(6), (b)(7)(C)

Cc: Squire, Todd J RDML OPNAV, N3N5 (b)(6), (b)(7)(C)

Subject: Foreign contact reporting

(b)(6), (b)(7)(C)

I hope this email finds you happy and healthy, we are busy--but good busy.

I have a bit of the off the wall question about contact reporting with foreign nationals. Is there a requirement to report every contact with a foreigner while assigned to the Embassy? I've been told on previous background investigations that as long as the contact was in the line of duty, you did not need to report.

I'm asking you since you are at DIA, and I figure the DAS sees this more than any other.

Thanks!!

Todd

(b)(6), (b)(7)(C)

DSO SE, NORFOLK

From: Adrian Jansen (b)(6), (b)(7)(C)
Sent: Friday, February 10, 2017 7:33
To: (b)(6), (b)(7)(C) NLSC, Norfolk
Subject: [Non-DoD Source] Fwd: Follow up re poly question

(b)(6), (b)(7)(C)

Can you please print this e-mail and add to binder (b)(6), (b)(7)(C) will share with me. I will arrive Norfolk about 1230 (b)(6), (b)(7)(C) we can meet then. I'll call you.

V/R Adrian

Sent from my iPad

Begin forwarded message:

From: (b)(6), (b)(7)(C)
Date: January 2, 2014 at 3:33:49 PM EST
To: (b)(6), (b)(7)(C)
Subject: RE: Follow up re poly question

Sir,

Good copy. You are confirmed for Thursday, 9 Jan 2014 at 1200 hours. You can wear civilian clothes or uniform, your call. Please show up at the polygraph office about 10 minutes before your appointment to fill out a couple of forms.

Thanks,

(b)(6), (b)(7)(C)

-----Original Message-----

From: (b)(6), (b)(7)(C)
Sent: Thursday, January 02, 2014 12:09 PM
To: (b)(6), (b)(7)(C)
Subject: Re: Follow up re poly question

We can, I will just have to leave my Chinese class early. Let's do it!

R/Adrian

Sent from my iPhone

On Jan 2, 2014, at 8:34,

(b)(6), (b)(7)(C)

wrote:

Sir,

Regrettably, they only start at 0800 and 1200 hrs. Would it be possible to make a 1200 appointment? Pls let me know.

Thanks,

(b)(6), (b)(7)(C)

-----Original Message-----

From:

(b)(6), (b)(7)(C)

Sent: Tuesday, December 31, 2013 2:47 PM

To:

(b)(6), (b)(7)(C)

Subject: Re: Follow up re poly question

(b)(6), (b)(7)(C)

Thursday 9 Jan after 1330 would be okay. Please let me know if that works.

Happy New Year I

Adrian

Sent from my iPhone

On Dec 31, 2013, at 11:16, (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

wrote:

Sir,

Happy New Year!

I don't know if you have scheduled a polygraph yet but wanted to reach out with an opportunity.

As part of our in-processing for the next JMAS class, we bring in extra staff to administer polygraphs. We have limited appointment availability on Tuesday 7 January and better appointment availability on

Thursday 9 January.

Would it be possible for you to take your poly on one of these two days if you still need one?

Please let me know.

Thanks,

(b)(6), (b)(7)(C)

-----Original Message-----

From: (b)(6), (b)(7)(C)

Sent: Monday, December 09, 2013 12:03 PM

To: (b)(6), (b)(7)(C)

Subject: Re: Follow up re poly question

Got it (b)(6), (b)(7)(C) Wilco.

Adrian

Sent from my iPhone

On Dec 9, 2013, at 11:45,

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

wrote:

Sir,

I talked with security. They want to ensure you get a poly before

you head out to next assignment. Please contact the poly office at

(b)(6), (b)(7)(C)

and schedule one at your convenience. There is no

rush, as long as you get one before departure.

Please let me know date once scheduled and I'll forward to the

security office.

Thanks,

(b)(6), (b)(7)(C)

-----Original Message-----

From

(b)(6), (b)(7)(C)

Sent: Monday, December 09, 2013 8:01 AM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: follow up re poly question

All:

Please be advised that I have a Navy requirement that will take me out of town from 13-17 Jan 2014. I will not be able to attend class that week, I expect to return to class on 20 Jan.

Thank you,

Adrian

Sent from my iPhone

On Oct 8, 2013, at 6:19, Adrian Jansen

(b)(6), (b)(7)(C)

wrote:

All:

On Thurs, 10 Oct, I have a meeting I need to attend and hence I

will miss

class.

I apologize for any inconvenience.

Thank you,

RDML Jansen

Sent from my iPhone

On Sep 26, 2013, at 10:56, Adrian Jansen

(b)(6), (b)(7)(C)

wrote:

(b)(6), (b)(7)(C)

Please note I will be attending mandatory Navy Training from 28

Oct to 1

Nov. Therefore, I will not be in school that week.

I do apologize for the inconvenience.

Best,

Adrian

Sent from my iPhone

NCIS INTERVIEW OF RDML JANSEN AND
SUPPORTING EVIDENCE CONSIDERED AT
ADMIRAL'S MAST

In the Matter of:

Case Number: 13Sep13-SWND-0491-4HNA

June 18, 2015
Interview of Adrian Jansen

Condensed Transcript with Word Index



For The Record, Inc.
(301) 870-8025 - www.ftrinc.net - (800) 921-5555

Pages 141 through 248 redacted for the following reasons:

Pages (141) - (187) - Interview of Adrian Jansen - Withheld (b)(6), (b)(7)(A), (b)(7)(C)
Pages (188) - (220) - Results of Debrief Interview of FRANCIS - Withheld (b)(6), (b)(7)(A), (b)(7)(C)
Pages (221) - (232) - Receipt and Review of Restaurant Receipts - Withheld (b)(6), (b)(7)(A), (b)(7)(C)
Pages (233) - (236) - Results of Interview of (redacted) - Withheld (b)(6), (b)(7)(A), (b)(7)(C)
Pages (237) - (239) - Results of Interview of (redacted) - Withheld (b)(6), (b)(7)(A), (b)(7)(C)
Pages (240) - (242) - Results of Interview of (redacted) - Withheld (b)(6), (b)(7)(A), (b)(7)(C)
Pages (243) - (246) - Results of Interview of (redacted) - Withheld (b)(6), (b)(7)(A), (b)(7)(C)
Pages (247) - (248) - Results of Interview of (redacted) - Withheld (b)(6), (b)(7)(A), (b)(7)(C)

SECURITY

Reporting Foreign Contact and Foreign Travel

SUMMARY

This regulation implements the DIA program for reporting foreign contact and foreign travel, assigns responsibilities for its management, and implements a defensive security briefing and threat environment awareness information program. Reporting of foreign contact and foreign travel, combined with a knowledge of protective countermeasures, helps reduce potential exploitation of DIA personnel by unauthorized persons.

All DIA personnel who contact foreign nationals and/or conduct foreign travel should be aware of their responsibilities.

1. **Purpose:** To establish uniform compliance within DIA for reporting foreign contact and foreign travel.
2. **References:** See Enclosure 1.
3. **Applicability:** This regulation applies to all persons employed by, assigned to, or attached for duty to DIA, and to all DIA contractors and consultants (identified hereafter as "DIA personnel").
4. **Authority:** DOD Directive 5105.21, "Defense Intelligence Agency," 18 February 1997.
5. **Supersession:** This regulation supersedes Memorandum U-7688/DAC-2B, Subject: Interim Guidance for Reporting Foreign Contacts and Foreign Travel, 3 June 1994; DIAR 50-11, "Reporting and Approval of Foreign Travel," 18 October 1989; and DIAR 50-17, "Foreign Contact," 26 September 1989. Because changes are extensive, they are not so indicated.
6. **Policy:**
 - a. Requires reporting of contact with a foreign national encountered under suspicious or unusual conditions, a continuing contact with a foreign national, and any change in relationship with a foreign national, worldwide.

OPR: DAC-3D

- b. Within the National Capital Region (NCR), the Armed Forces Medical Intelligence Center (AFMIC) and the Missile and Space Intelligence Center (MSIC), and unless otherwise exempted by the provisions of paragraph 9d, below, requires submission of social invitations, of any kind, from a representative of a foreign government through the Defense Foreign Liaison Division (PO-FL). PO-FL determines if the social contact is consistent with current DOD policy and forwards correspondence to the DIA employee.
- c. Requires DIA personnel to obtain approval of all foreign travel, both official and unofficial.
- d. Requires compliance with DIA and Department of State (DOS) security standards, where applicable.

- e. Encourages the traveler to apply knowledge of protective countermeasures obtained during security awareness training.
- f. Emphasizes personal conduct above reproach.

7. Responsibilities:

- a. The Director (DR) is authorized to ensure DOD and Director of Central Intelligence (DCI) security policies and programs protect DIA personnel.
- b. The Inspector General (IG) will inspect for compliance with reporting requirements.
- c. OPR: The Counterintelligence and Security Activity (DAC) will implement the responsibilities of the DR as assigned in DOD Directive 5240.6. DAC will:
 - (1) Approve unofficial (personal) foreign travel.
 - (2) Collect, store, analyze, and investigate foreign contact and foreign travel data for security and counterintelligence purposes.
 - (3) Manage a formal security and counterintelligence trend analysis of foreign intelligence security services (FIS). Manage a threat awareness program to identify the potential threat from FIS and foreign nationals to classified, sensitive, and proprietary information and from inadvertent or deliberate disclosures to foreign nationals.
 - (4) Provide periodic defensive security briefings, prior to foreign travel, of the threat posed by FIS, terrorism, technical intelligence, and criminal activities.
 - (5) Conduct debriefings.
 - (6) Review all proposed contractual actions that require accesses to classified information. Review and sign the Contract Security Classification Specification (DD Form 254) prepared by the requiring element. Any security requirement, including the applicability of this regulation, shall be set forth on this form. Reporting includes continuing contact with foreign nationals when established under DIA and non-DIA contracts and all official and unofficial foreign travel.
- d. Directorate for Operations (DO) will make available its Executive Services Staff (DO-ES) databases to DAC for purposes of security investigations.
- e. Logistics Division (DAL-2) will make available DAL databases on official foreign travel to DAC for purposes of security investigations.
- f. Transnational Warfare Group (TW) will maintain trend analyses for terrorism and narcotics threats.
- g. Foreign government representatives have been informed that all requests for contact with DIA personnel and all requests for DOD and DIA documents and information must be directed to POFL.
- h. Foreign Exchanges and Disclosures Office (DPF) will advise on release of intelligence to foreign nationals.
- i. The Office for Procurement (DAP) will ensure that DD Form 254 has been signed by the appropriate responsible component and will incorporate the DD Form 254 into any resulting contract.
- j. Security Offices at AFMIC and MSIC will serve as the central offices for reporting foreign contact of their elements/ respective personnel.
- k. Unit Security Officers (USOs), Special Security Contact Officers (SSCOs), or Contractor Special Security Officers (CSSOs) will ensure personnel are trained in reporting suspicious or unusual incidents when encountering foreign nationals, in reporting continuing contact with a foreign national, and in ensuring travel orders (DD Form 1610, "Request and Authorization for

TDY Travel of DOD Personnel") reflect receipt of a defensive security briefing prior to foreign travel.

l. Supervisors will certify all official and unofficial foreign travel conducted by their element's personnel; ensure foreign contact and unofficial foreign travel data are forwarded to Security Investigations and Polygraph Branch (DAC-3D); ensure personnel receive defensive security briefings and become knowledgeable of threat conditions before conducting foreign travel; monitor itineraries from a safety point-of-view; and follow-up on reporting of security-related issues.

m. DIA personnel will report suspicious or unusual contact with a foreign national, continuing contact with a foreign national, and any change in relationship with a foreign national directly to DAC-3D.

n. DIA personnel will submit requests for approval of unofficial foreign travel to DAC-3D via their immediate supervisor. For the purposes of this regulation, DIA Contracting Officer's Representatives (COR) are considered the "immediate supervisors" of DIA contractor personnel.

o. Supervisors or other employees having knowledge of unreported foreign contact or unofficial foreign travel by any DIA employee are obliged to contact the Personnel Security Division (DAC-3) through normal reporting channels.

8. Exceptions to Policy: Policy can be waived on a case-by-case basis if the standards set forth in this regulation impede a DIA element's ability to accomplish specific mission requirement(s). Requests for exceptions to policy may be submitted in writing with justification to DAC-3. In those instances where requested exception creates a significant security concern, DAC-3 will forward the request to DAC within one week following receipt for final review decision.

9. Procedures for Reporting Foreign Contact and Foreign Travel:

a. General.

(1) DIA personnel are required to report foreign contact and foreign travel, and DIA is obliged to monitor foreign contacts for real or potential security or counterintelligence risks to its personnel, operations, information, or property. Monitoring helps determine if a foreign contact, encountered anywhere in the world, is affiliated with FIS; a terrorist or narcotic group; or an indigenous group active in promoting insurgency, war, or civil disturbance, or other act of aggression. Monitoring helps reduce the opportunity for recruitment and/or exploitation of DIA employees. Once these data are a matter-of-record, they assist in spotting trends in contacts, assessing the threat to security, and focusing counterintelligence awareness efforts accordingly.

(2) Unique responsibilities associated with DIA employment require that employees avoid associations with foreign nationals that negatively reflect on an employee's judgment, discretion, or integrity.

(3) Updating the nature of a changed relationship is as important as the initial report. DIA personnel residing outside the continental United States must immediately update relationships and report new contacts as they occur.

(4) Should DIA personnel have any doubt about reporting contact with a foreign national after consulting management and security, they should always report the contact.

(5) Willful failure to report, under-report, or misrepresent contact with a foreign national, or failure to report promptly a significant change in a relationship are subject to sanctions, identified in paragraph 10, below.

b. Official Contact with Foreign Government Representatives.

(1) Within the NCR, AFMIC, and MSIC, all requests by representatives of foreign governments to contact DIA personnel for business meetings must be forwarded via the automated Foreign Visits System (FVS) to PO-FL.

(a) PO-FL will coordinate the request with appropriate DIA officials and notify the foreign government representative within 30 days when the request is approved or disapproved.

(b) DIA personnel whose duties require regular contact (paragraph 9.d.(1), below) with a foreign government representative are exempted from this requirement.

(2) Beyond the NCR, AFMIC, and MSIC, DIA personnel will report all official contact with foreign government representatives as a continuing contact, identified in paragraph 9.c.(4), below.

(3) Invitations to official functions hosted by representatives of foreign governments must be forwarded to DIA personnel through PO-FL.

(a) If DIA personnel receive invitations to official functions outside the approved channels, they must forward the invitation or a copy to PO-FL prior to RSVP.

(b) If attendance is consistent with DOD policy guidance, PO-FL will inform the concerned individual within 3 days. If attendance is not authorized, PO-FL will inform the DIA employee and also contact the foreign government establishment to avoid putting the individual in an embarrassing situation.

(4) Policy approval for an individual to accept an invitation from a foreign government representative does not oblige that individual to accept.

(5) Reciprocal official invitations, initiated by DIA personnel and extended out of courtesy to a foreign government representative in response to a previous contact, must receive prior approval from PO-FL using DIA Form 18-1, "Foreign Contact Request" (enclosure 2). PO-FL will respond to the requestor within 3 days of receipt of the request.

(6) Unless duties normally require regular contact with representatives of foreign governments, and as exempted in paragraph 9.d.(1), below, DIA personnel will report to DAC-3D through normal reporting channels intended contact with or planned visit to any foreign diplomatic establishment, whether for official or unofficial reasons (using DIA Form 12A, "Foreign Contact Report" (enclosure 3)). Submit report at least 1 week prior to the intended contact.

(7) Paragraph 9.c.(3)(b), below, applies to reporting of contact with known or suspected foreign intelligence officers, also.

(8) Categories for reporting foreign contact, paragraphs 9.d.(1)-(7), below, apply to reporting of foreign government representatives, also.

(9) If an official contact becomes unofficial and continuing in nature, DIA personnel must immediately report to DAC-3D the details and circumstances of the relationship.

c. Unofficial Foreign Contact.

(1) DIA personnel will report two basic types of unofficial contact with foreign nationals: those encountered under "suspicious or unusual" conditions and those encountered during "continuing" contact to include close association. The exemption for official contact contained in paragraph 9.d.(1), below, does not apply to this category.

(2) DIA personnel will report "suspicious or unusual" contact by the most direct means to the supporting security office or DAC-3D within 3 days after knowledge of the threat. DIA personnel will report a "continuing" contact within 7 days of the second contact to DAC-3. Reports may be forwarded by hardcopy (DIA Form 12A) (Enclosure 3) or by E-mail; E-mail

notification must include data fields contained on DIA Form 12A.

(3) Suspicious or Unusual Contact. DIA Personnel will report: (a) "Suspicious" or "unusual" contact with any foreign national under circumstances which suggest to the employee that he/she may be the target of actual or attempted exploitation. These encounters may occur any time, when:

1. Questions go beyond the bounds of innocent curiosity or normal business inquiries.
2. Persistent interest is expressed about employment, assignment, or sensitive national security matters.
3. Illegal or unauthorized access is sought to obtain classified, sensitive, or proprietary information or technology, either within or outside the scope of the employee's official activities, or sought to assess an individual's access to this information or technology.
4. A relationship suddenly changes, e. g., when a professional contact strives to develop a personal friendship.

(b) All contact with a foreign national who is a known or suspected employee of a foreign intelligence service, a foreign diplomatic corps, or a non-U.S. citizen of an international organization. Reporting includes any contact with counterpart counterintelligence and security services of a foreign nation's military services or civilian agencies. DIA personnel whose duties require regular contact" (paragraph 9.d.(1), below) with this category of foreign national contact and who submit contact reports by another means are exempt from this requirement.

(c) Activities pertaining to planned, attempted, or actual terrorism, espionage, sabotage, or subversion against DOD, other U.S. facilities, organizations, or U.S. citizens.

(d) Any unofficial business or financial relationship with a foreign national.

(4) Continuing Contact (all modes, including personal, written, telephonic, E-mail, facsimile, wire, and amateur radio) (Enclosure 4).

(a) A "continuing" contact is defined as any contact made with a foreign national a second time, of more than a casual acquaintance, and with intent to continue contact. Contact may occur either within or outside the United States.

(b) Continuing contact does not include reporting a casual contact (see glossary).

d. Categories for Reporting Foreign Contact.

(1) DIA personnel whose duties "require regular contact" with a foreign government representative; an office, establishment, or entity of a foreign country; or other foreign national are exempt from reporting "continuing" contact with foreign government representatives, provided contact was coordinated with management and otherwise reported through contact reports. This group includes DO personnel, defense attaché designees-in-training, foreign liaison officers, foreign exchanges and disclosures officers, Defense Intelligence Officers (DIO), Defense Intelligence Support Office (DISO) staff, National Intelligence Support Teams (NIST), personnel deployed to multinational military organizations, and applicable personnel assigned to AFMIC and MSIC.

(2) DIA personnel whose duties "normally include contact" with foreign nationals do not need to report an initial contact. However, they must report the second contact as a matter of record, if the contact was not reported through a contact report. No further reporting of contact is necessary, unless the nature of the contact changes; i.e., official to unofficial or unofficial to official. This group includes academic administrative personnel, college personnel, and couriers (couriers, see paragraph 9.d.(4), below).

(3) DIA support personnel located in offices cited in paragraphs 9.d.(1)-(2), above, whose duties "normally do not require regular contact" with foreign nationals, will report the second contact (official or unofficial) with a foreign national. No further reporting of these contacts is necessary, unless the nature of the contact changes. This group includes support personnel in DO, whose duties do not normally require contact with foreign nationals; DIA analysts; intelligence exchange delegations; foreign liaison support personnel; foreign exchanges and disclosures support personnel; computer specialists; photographers; security specialists; other specialists; students; contractors; and consultants.

(4) DIA couriers having continuing contact with foreign nationals, which occurs solely during official business transactions (i.e., mail delivery and passport/visa processing), do not need to report contact. Reporting is necessary, however, if the contact becomes unofficial in nature.

(5) A first-time official project, conference, or TDY of less than 2 weeks duration is considered one event and requires no reporting. Reconvening one of these events at a subsequent date counts as a second contact and is reportable. An event lasting more than 2 weeks is reportable. Events include interface with military counterparts during conduct of joint training exercises, conduct of emergency relief operations to provide food and medical supplies, and conduct of multi-national military operations.

(6) A classroom setting, either U.S.- or foreign government-sponsored, where foreign nationals are present, requires a "one-time" report listing the course title, location of the course, names of foreign officials and students, and inclusive dates of the expected contact(s). Further reporting is necessary, when a foreign national's interest in a DIA employee becomes suspicious or unusual or when contact continues subsequent to the course. Attaché students will report contact beyond the classroom environment, when the foreign student is from a country other than the Attaché student's designated country.

(7) When adopting a foreign national child, DIA personnel will report contact with an adoption agency. Reporting is necessary, whether the child and/or the adoption agency is located in the United States or a foreign country.

e. Close Association. DIA personnel will report close association with a foreign national, who resides either in or outside the United States. Submit reports through normal reporting channels to DAC-3D within 2 weeks of initiation of close association. The following contacts distinguish close association:

(1) Intent to marry a foreign national.

(2) Establishment of bonds of affection or obligation with a foreign national.

(3) Cohabitation with a foreign national. Cohabitation with a foreign national does not extend to relationships such as non-live-in domestic servants, non-live-in childcare providers, or landlords and tenants. DIA personnel should submit requests for local name checks on these persons to an Embassy regional security officer (RSO) (for U.S. Defense Attaché Office [DAO] assignments), supporting security offices (for other overseas assignments), or DAC-3D (for continental United States [CONUS] assignments). RSOs and supporting DOD security offices will report derogatory information to DAC-3D.

(4) Continuing an intimate relationship with a foreign national. (5) When unsure about the circumstances of a contact with a foreign national, query DAC-3D to determine if a formal report is necessary.

f. Requesting/Reporting Foreign Travel.

(1) The safety of DIA personnel and the privileged knowledge they possess while traveling outside the United States, either officially or unofficially, is of utmost concern. Thus, the following actions help to protect both the person and his/her privileged knowledge.

(a) All DIA personnel will account for travel outside the United States. If assigned outside the United States, they will account for travel outside the country to which assigned (excluding travel to the United States).

(b) DIA personnel involved in special access programs (SAPs) are to contact the program security officer (PSO) or DIA's Program Development Office (DPD) for unique reporting requirements pertaining to personal foreign travel.

(2) Prior to conducting "official" foreign travel, DIA personnel will:

(a) Attend a periodic defensive travel security briefing within 6 months of travel.

(b) Obtain a country clearance. Consult DOD 4500.54-G, "Foreign Clearance Guide" and DIAM 12-7, "Military and Civilian Travel" to obtain Special Area clearance, Country clearance, and/or Theater clearance.

(c) Submit a request for travel orders (DD Form 1610), noting receipt of a defensive travel security briefing.

(3) Thirty days prior to conducting unofficial foreign travel, DIA personnel will:

(a) Obtain approval of intent to travel from immediate supervisor (or COR for contractors) and DAC-3D, using DIA Form 12B (Enclosure 5), with as much detail as possible. Personnel assigned to overseas DIA locations (DAS, DHS, DIALs, Theater Commands) may report via electrical message format similar to DIA Form 12B.

(b) Attend a periodic defensive travel security briefing within 6 months of travel.

(c) Notify DAC-3D through normal reporting channels of unofficial travel previously reported, but not taken.

(4) During all foreign travel, DIA personnel will: (see NOTE, below)

(a) Immediately report to the nearest U.S. diplomatic facility, if detained or subjected to any harassment or provocation while traveling.

(b) Seek guidance from the nearest U.S. diplomatic facility, if suspicious of an approach by FIS, a terrorist or narcotic group, or a criminal element, or if involved or entrapped in a conspiracy to commit espionage.

NOTE: DIA personnel, when conducting either official or unofficial travel, must be sensitive to and comply with local country laws regarding photography of prohibited areas.

(c) Promptly report facts or circumstances to the DOS' RSO or post security officer, if the foreign national initiates any incidents identified in paragraph 9.f.(5)(a), below. The U.S. diplomatic facility's RSO or post security officer will expedite these reports to DAC.

(5) DIA personnel (to include personnel on TDY and DIA contractors and consultants) assigned to a foreign station and returning to their foreign station from unofficial travel will immediately report unusual or suspicious incidents to DAC-3D and the Overseas Security Branch (DAC-2D) via MODEST WARRIOR Level Three message.

(6) Following foreign travel, DIA personnel will:

(a) Using normal reporting channels, inform DAC-3D of suspicious or unusual incidents encountered during contact with any citizen, official, office, establishment, or entity of a foreign country. Such incidents include detention, harassment, provocation, or threats; attempts, intention, or reasonable potential to obtain unauthorized access to classified, sensitive, or proprietary information or technology; and the possibility of continued contact with the foreign

national for such purpose.

(b) Provide travel debriefings at the request of security or counterintelligence personnel.

g. Defensive Travel and Risk-of-Capture Security Briefings:

(1) DOD instruction requires all DIA personnel conducting foreign travel for any reason (official or unofficial) to attend Level I Antiterrorism/Force Protection (AT/FP) training within 6 months of travel. DAC offers an hour-long briefing monthly. This briefing includes sources and methods for obtaining country-specific threat information.

(2) Enclosure 6 outlines DIA's defensive travel security briefing program. Personnel will receive "risk-of-capture briefings" as the need arises.

(3) Personnel unable to attend a regularly scheduled monthly briefing, due to operational and mission considerations, must contact the Policy and Security Awareness Branch (DAC-2B).

(4) Security officers will include AT/FP data in defensive travel security briefings and risk-of-capture briefings.

(5) DIA personnel (to include adult dependents, personnel on TDY, and DIA contractors and consultants) assigned outside the United States, its possessions, and its territories will receive AT/FP briefings from their element's USO prior to travel outside their country of assignment.

10. Sanctions:

a. Failure by DIA personnel to comply with provisions of this regulation will result in reevaluation of eligibility for continued access to classified information.

b. Management and security officials knowledgeable of noncompliance, but who fail to apply appropriate policy and/or regulatory guidance will be held accountable.

BARBARA A. DUCKWORTH Chief of Staff

8 Enclosures

1. References

2. DIA Form 18-1

3. DIA Form 12A

4. Scope for Reporting Continuing Contacts

5. DIA Form 12B

6. Defensive Security Briefings and Threat Environment Awareness Information

7. Acronyms and Abbreviations

8. Glossary

9. Questions About Foreign Contact Policy

REFERENCES

1. Executive Orders:

a. Presidential Decision Directive/NSC-12, "Security Awareness and Reporting of Foreign Contacts," 5 Aug 93.

b. E.O. 12968, "Access to Classified Information," 4 Aug 95.

2. Director of Central Intelligence Directives (DCIDS):

a. Director of Central Intelligence Directive (DCID) 1/14, "Personnel Security Standards and Procedures Governing Eligibility for Access to Sensitive Compartmented Information (SCI)," 2 Jul 98.

- b. Director of Central Intelligence Directive (DCID) 1/19, "Security Policy for Sensitive Compartmented Information and Security Policy Manual," w/Supplement, 1 Mar 95.
- c. DCID 1/20, "Security Policy Concerning Travel and Assignment of Personnel With Access to Sensitive Compartmented Information (SCI)," 29 Dec 91.
- d. Memorandum, Director of Central Intelligence, subject: "Revised Instructions for DCID 1/20 Country Annex," 19 Jan 94.

3. DOD Directives, Regulations, Manuals, and Publications:

- a. Memorandum, SECDEF, subject: "Travel to the Territory of the Former Soviet Union and the Baltic Countries," 12 Feb 93.
- b. Memorandum of Understanding Between the Department of State and the Department of Defense on Overseas Security Support," 10 Sep 90.
- c. Message, SSO DIA/DAC-2B//, subject: "Foreign Travel and Contact Reporting," dated 260826Z Jun 97.
- d. DOD Directive 2000.12, "DOD Combating Terrorism Program," dated 15 Sep 96.
- e. DOD Instruction O-2000.16, "DOD Combating Terrorism Program Standards," dated 21 Jul 97.
- f. DOD Guide 4500.54-G, "DOD Foreign Clearance Guide."
- g. DOD Directive 5105.21, "Defense Intelligence Agency," 18 Feb 97.
- h. DOD Directive 5105.21-M-1, "Sensitive Compartmented Information Administrative Security Manual," Aug 98.
- i. DOD Directive 5200.2-R, "DOD Personnel Security Program," Jan 87, authorized by DOD Directive 5200.2, May 6, 1992.
- j. DOD Instruction 5210.84, "Security of DOD Personnel at U.S. Missions Abroad," 22 Jan 92.
- k. DOD Directive 5240.2, "Counterintelligence," 26 May 97.
- l. DOD Directive 5240.6, "Counterintelligence Awareness and Briefing Program," 26 Feb 86.

4. DIA Regulations and Manuals:

- a. DIA Manual 12-7, "Military and Civilian Travel."
- b. DIA Regulation 54-1, "Protection of DIA Personnel Abroad Against Terrorist Acts."
- c. DIA Regulation 54-2, "Foreign Intelligence Collection Efforts, Foreign Contacts, and Counterintelligence Awareness Program (U)," CONFIDENTIAL/NOFORN.
- d. DIA Manual 58-11, "DOD HUMINT Policies and Procedures (U)," SECRET/NOFORN.
- e. DIA Manual 58-12, "The DOD HUMINT Management System (U)," SECRET.
- f. DIA Manual 100-1, Vol. I, "Defense Attaché Manual for Administration," Chapters 2 and 3, Volume I.
- g. DIA Manual 100-1, Vol. III, "Defense Attaché Manual for Administration (U)," Chapter 7, Volume III, SECRET.

ENCLOSURE 1

DIAR 50-17

DATE: _____

To: PO-FL

Thru: Supervisor

From: _____

Name _____

Organization _____

Telephone _____

Subject: **FOREIGN CONTACT REQUEST**

Reference: DIA Regulation 50-17

Name of Contact: _____

Nationality: _____

Telephone Number: _____

Occupation: _____

Title or Position: _____

Method of Contact: (Enter the Number of Each)

Personal _____ Telephonic _____ Mail _____ E-Mail _____

Date and Time of Proposed Contact: _____

Location of Contact: _____

Purpose of Contact: _____

Who Initiated the Contact: DIA Employee _____ Foreign National _____

Previous Contact with This Foreign National: Yes _____ No _____

If "Yes," Please Explain Details Surrounding Previous Contact: _____

(Continue on Backside)

PO-FL: Approve _____ Disapprove _____

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(When Completed)
DIA FORM 18-1 (12-98)

ENCLOSURE 2

FOREIGN CONTACT REPORT FOR DIA EMPLOYEES

YOUR LAST NAME, First, MI: DATE:

AN: ELEMENT: DUTY PHONE:

Foreign Contact's Last Name, First Name, MI:

Nationality:

Approximate Age:

Occupation/Title:

Method and frequency of contact:

PERSONAL ☐ TELEPHONIC ☐ WRITTEN ☐ E-MAIL/FAX

OTHER: _____

Frequency/Remarks: _____

Describe the circumstances of your last contact (approximate):

Who initiated the contact?

YOU ☐ FOREIGN NATIONAL ☐ OTHER (please identify)

Does this individual have any intelligence, political, or subversive affiliations?

NO ☐ YES (please identify)

Did the contact result in any unusual or suspicious circumstances?

NO ☐ YES (please explain)

Is this a "close" and "continuing" contact (See reverse for definitions)?

NO ☐ YES

PERSONAL DATA** To be treated in a confidential manner. Use is restricted. When not in use, it is to be stored in a locked cabinet or secure area. It must be disposed of properly. Employees who violate the Privacy safeguards may be subject to disciplinary actions, a fine of up to \$5,000.00, or both (P.L. 93-579).

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DIA FORM 12A (12-98)

ENCLOSURE 3

"Close" contact/association (See Glossary, DIAR 50-17, IReporting Foreign Contact and Foreign Travel") with a foreign national is distinguished, specifically, as intent to marry, establishment of bonds of affection or obligation, cohabitation, or continuing intimate relationship.

"Continuing" contact (See paragraph 9.b. (2)(d), DIAR 50-17) with a foreign national:

iii any second contact (official or unofficial) with a foreign national, of more than a casual acquaintance, and with intent to continue that contact.

iiii not include reporting "casual" contact with a foreign national with whom there is no official (professional) or unofficial relationship; no in-depth discussion; or no suspicious or unusual condition. This grouping includes:

(1) foreign national neighbors, teachers, or tradespeople (i.e., cleaners or lawn services); non-live-in domestic servants; non-live-in child care providers; landlords; or tenants;

(2) limited, essentially public contacts with foreign nationals at community gatherings, sports events, clubs, or ethnic restaurants; or

(3) essentially public contacts via postal services, telephones, amateur radios, or information systems (electronic mail, bulletin boards, or other computer online services).

iiiiii all modes of contact, i.e., personal, written, telephonic, E-mail, facsimile, wire, and amateur radio.

iii occur either within or outside the United States.

ENCLOSURE 4

Scope for Reporting

Continuing Contacts

This chart identifies groups of persons, whose official duties require/do not require reporting continuing contacts.

GROUPING BY OFFICIAL UNOFFICIAL

DUTIES CONTACT CONTACT

Require regular No Report Report
contact

(footnote 1)

Normally include No Report Report
contact

(footnote 2)

Normally do not Report Report
require regular
contact

(footnote 3)

Normally do not Report Report
require contact

(footnote 4)

-
1. DO personnel; Defense Attaches (DATs); DATT designees-in-training; foreign liaison officers (FLOs); foreign exchanges and disclosures officers; DIOs; DISOs; NIST personnel; personnel deployed to multinational military organizations; and applicable AFMIC and MSIC personnel.
 2. Academic administration personnel; college personnel; and couriers.
 3. Support personnel in DO, whose duties do not normally require contact with foreign nationals; analysts; intelligence exchange delegations; foreign liaison support personnel; foreign exchanges and disclosures support personnel; computer specialists; photographers; security specialists; other specialists; students; contractors; and consultants.
 4. Others, to include a first-time official project, conference, or TDY (less than 2 weeks); a classroom setting, either U.S.- or government-sponsored military schooling with foreign nationals; and personnel in contact with a foreign national adoption agency.
-

ENCLOSURE 5

UNOFFICIAL FOREIGN TRAVEL REQUEST

TO: DAC-3D DATE: _____

Thru: (Immediate Supervisor)

FROM: Name: _____

SSAN: _____

Element: _____

Duty Phone: _____

Passport Number: _____

Passport Expiration Date: _____

Country(ies) Visiting: _____

Dates of Travel: _____

Purpose of Travel: _____

Date of last overseas

Security briefing: _____

Travel Details (Cities, _____

Hotels, etc.):

DAC-3 Comment: (approved) (disapproved)

Date:

Name:

****PERSONAL DATA**** To be treated in a confidential manner. Use is restricted. When not in use,

it is to be stored in a locked cabinet or secure area. It must be disposed of properly. Employees who

violate the Privacy safeguards may be subject to disciplinary actions, a fine of up to \$5,000.00, or both (P.L. 930579).

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(When Completed)

DIA FORM 12B (12-98)

ENCLOSURE 6

Defensive Travel Security Briefings and Threat Environment Awareness Information

1. The Counterintelligence and Security Activity (DAC) provides periodic Defensive Travel Security Briefings for personnel traveling outside the United States for official assignment, official travel, or unofficial travel. The briefing provides personal security countermeasures to minimize vulnerability to foreign intelligence security services (FIS); terrorism and narcotic groups; indigenous groups active in promoting insurgency, war, or civil disturbance; technical exploitation, and crime.

2. To assist the traveler in familiarizing himself/herself with recommended personal security countermeasures and available threat information, DAC offers a combination of briefings and brochures and access to current threat information via a variety of media composed of the following:

a. DAC Periodic Defensive Travel Security Briefing

(1) DAC-2B presents group-oriented briefings monthly. Times, dates, and locations of DAC-2B briefings are publicized on DIA's electronic bulletin board under **DIALog>Services>Security**.

(2) DOD Instruction O-2000.16, "DOD Combating Terrorism Program Standards," requires attendance of Level 1 Antiterrorism/ Force Protection (AT/FP) training within 6 months of travel. The DAC-2B briefing is applicable for personnel traveling through or to Low to High Risk areas. The briefing is based on a Program of Instruction from the U.S. Army John F. Kennedy Special Warfare Center and School. Its core components consist of an introduction to terrorism, terrorist operations, detecting terrorist surveillance, individual protective measures, hostage survival, threat levels, THREATCONS, foreign intelligence services/ counterintelligence threat, wars and civil disturbances, and crime avoidance. As "country specific" threat information cannot be

provided to individuals during group briefings, sources and methods for obtaining such information are stressed. Handouts include Office of the Joint Chiefs of Staff (OJCS) Guide 5260, "Service Member's Personal Protection Guide: A Self-Help Handbook to Combating Terrorism," and the "Antiterrorism Individual Protective Measures" folding wallet card.

(3) DAC-2B will consider case-by-case requests for a special presentation for personnel who are unable to attend the regularly scheduled monthly briefing, due to operational and mission considerations. Emergency situations will receive priority consideration.

b. USO, SSCO, or CSSO reading materials, which include:

(1) A National Security Agency travel brochure, "Your Passport to a Safe Trip Abroad," covering personal security countermeasures; and

(2) other travel security-related materials.

c. Foreign travel security-related videotapes in the DIA library and DAC-2B.

d. Travel advisories from Travel and Transportation Branch (DAL-2C), Room F2-241, DIAC, (202) 231-2900.

e. Regional threat assessments by DIA's Transnational Warfare Group (TW). Within INTELINK, access either "Products by Region" or "Products by Type" to obtain threat assessments by country or type.

f. A "DIA Travel Home Page" on Dialog provides access to "Safety Tips for Travelers."

g. U. S. Department of State (DOS) Composite Threat List. This list is updated annually and contains threat levels of FIS, terrorism, technical exploitation, and crime in cities where there is a U.S. Diplomatic presence. DIA personnel traveling to "high" or "critical" threat environments are encouraged to contact DAC-2D for area specific information and advice on appropriate countermeasures.

h. Bureau of Consular Affairs, DOS, Washington, D.C. The Bureau issues advisories about conditions abroad, which may affect travelers adversely. Generally, these advisories concern physical dangers, unexpected arrests or detentions, serious health hazards, or other conditions abroad with serious consequences for traveling Americans.

(1) Dial (202) 647-5225 for recorded travel information from DOS Office of Overseas Citizens Services, which includes emergencies involving U.S. citizens abroad, non-emergencies concerning citizenship, safety information, marriage overseas, property matters overseas or judicial assistance, and listings of travel warnings.

(2) DOS's Office of Overseas Citizens Services Internet address is <http://www.state.gov>.

(3) Dial (202) 647-3000 for access to the Bureau's automated facsimile system. A facsimile machine equipped with a telephone jack can access the facsimile system.

(a) This automated system is updated every 7 days and contains information on embassy location, areas of instability, crime, travel hazards, and restrictions.

(b) It provides consular information sheets, travel warnings, public announcements, tips for traveler's brochures, visa bulletins, and other consular information.

i. The National Counterintelligence Center produces threat-related information on its Internet home page. The address is <http://www.nacic.gov>.

j. The Centers for Disease Control, Atlanta, Georgia.

(1) Dial 1 800 311-3435 and follow prompts to obtain information offered.

(2) CDC's facsimile telephone number is 1 800 232-3299. Follow instructions and enter the 6-

digit document numbers 000005 and 220000 when asked.
(3) The Internet home page address for CDC is <http://www.cdc.gov>.

ENCLOSURE 7

ACRONYMS AND ABBREVIATIONS

AFMIC Armed Forces Medical Intelligence
Center AT/FP Antiterrorism/Force Protection
CONUS Continental United States
CSSO Contractor Special Security Officer
DAC DIA Counterintelligence and Security
Activity DAC-2B DIA Policy and Security Awareness
Branch DAC-2D DIA Overseas Security Branch
DAC-3 DIA Personnel Security Division
DAC-3D DIA Investigations and Polygraph
Branch DAL-2 DIA Logistics Division
DAL-2C DIA Travel and Transportation Branch
DAP DIA Office for Procurement
DATT Defense Attaché, DIA
DCI Director of Central Intelligence
DCID Director of Central Intelligence
Directive DD, DIA Deputy Director, DIA
DIAR Defense Intelligence Agency Regulation
DIO DIA Defense Intelligence Officer
DISO DIA Defense Intelligence Support
Office DO DIA Directorate for Operations
DO-ES DIA Executive Services Staff
DOD Department of Defense
DOS Department of State
DPD DIA Program Development Office
DPF DIA Foreign Exchanges and Disclosures
Office DR, DIA Director, DIA
EO Executive Order
FIS Foreign Intelligence Security Services
FLO DIA Foreign Liaison Officer
FVS DIA Foreign Visits System
IG DIA Inspector General

MSIC.....Missile and Space Intelligence Center
 NCR.....National Capital Region
 NIST.....DIA National Intelligence Support Team
 NSC.....National Security Council
 OJCS.....Office of the Joint Chiefs of Staff
 OPR.....Office of Primary Responsibility
 OSIS.....Open Source Information Systems
 PSO.....Program Security Officer
 RSO.....Regional Security Officer
 SAP.....Special Access Program
 SCI.....Sensitive Compartmented Information

ENCLOSURE 8

SECDEF.....Secretary of Defense
 SSCO.....Special Security Contact Officer
 SSO.....Special Security Officer/Office
 TDY.....Temporary Duty
 TW.....DIA Transnational Warfare Group
 USDAO.....U.S. Defense Attaché Office
 USO.....Unit Security Officer

GLOSSARY

Approving Official. An individual designated as the approving official for official foreign travel.

Association. Any relationship characterized by a tie of kinship or obligation.

Casual Contact. Foreign nationals with whom there is contact, but with no official (professional) or unofficial relationship, no in-depth discussion, or no suspicious or unusual condition. This grouping includes foreign national neighbors, teachers, or tradespeople (e.g., cleaners or lawn services); non-live-in domestic servants; non-live-in child care providers; landlords; or tenants; as well as limited, essentially public contacts with foreign nationals at community gatherings, sports events, clubs, or ethnic restaurants; or via postal services, telephones, amateur radios, or information systems (electronic mail, bulletin boards, and other computer online services).

Close Association. Close association with a foreign national is distinguished, specifically, as intent to marry, establishment of bonds of affection or obligation, cohabitation, or continuing intimate relationship.

Cohabitation. Sharing of living quarters, when not legally married.

Compromising Positions. Examples include engaging in sexual activities in violation of U.S. law or the UCMJ, black marketing, violating host country laws, purchasing or trafficking in controlled substances; and being placed in unusual situations which may cause an incident, elicit

a response which would entangle or compromise an individual, or cause embarrassment to the U.S. Government.

Contact. Any form of meeting, association, or communication, in person, or by radio, telephone, letter, or other means, regardless of who initiated the contact, or whether it was for official (professional) or unofficial (social, personal, or private) reasons. A contact occurs even though no official business was discussed or requested.

Contact Report. Any report identifying contact by DIA personnel with a foreign national.

Continuing Contact. Any second contact with a foreign national, of more than a casual acquaintance, and with intent to continue that contact.

Defensive Security Briefing. Formal advisories alerting travelers to the potential for harassment, exploitation, provocation, capture, entrapment, or criminal activity. These briefings, based on actual incidents directed against U.S. personnel, if possible, include recommended courses of action to mitigate adverse security and personal consequences. The briefings also suggest active and passive measures that personnel should take to avoid becoming targets or inadvertent victims of hostile acts from terrorism (to include those posed by narcoterrorists), foreign intelligence security services, technical intelligence means, and criminal activities.

DIA Personnel. These personnel include those employed by, assigned to, or attached for duty to DIA; and all DIA contractors and consultants.

Foreign Contact. Any person who is not a U.S. citizen. This grouping includes a "Green Card" holder or a "Permanent Resident Alien."

Foreign Diplomatic Establishment. Any embassy, consulate, or interest section representing a foreign country.

Foreign Government Representatives. All personnel who are members of, or employed by, a foreign government. This includes military and civilian personnel (and dependents) of embassies and consulates; military, trade, cultural, and student exchange missions; or other missions and groups sponsored by a foreign government.

Foreign National. Any individual who is not a citizen of the United States by birth or through naturalization. This grouping includes resident aliens, students, refugees, and émigrés. For purposes of this regulation, foreign national also includes an office, establishment, or entity of a foreign country.

Foreign Travel. Travel outside of the 50 states composing the United States and its possessions and territories.

Frequent Traveler. Foreign travel conducted two or more times a year.

Hazardous Travel. Assignments or visits to, and travel through, combat zones or other areas in which the threat to U.S. personnel from opposition intelligence services; terrorist or narcotics groups; or indigenous groups active in promoting insurgency, war, or civil disturbance, or other acts of aggression, is such that the physical safety and security of personnel cannot be reasonably ensured. This definition also includes use of transportation carriers owned or controlled by countries located within the areas mentioned.

Need-to-Know. Determination by an authorized holder of classified information that a prospective recipient requires access to specific classified information in order to perform a lawful and authorized function. Such person shall possess an appropriate security clearance and access approval in accordance with DCID 1/14.

Official (Professional) Contact. Interaction by DIA personnel during the conduct of formal duties with a foreign government representative; an office, establishment, or entity of a foreign

country; or other foreign national representing said foreign government or country.

Official Foreign Travel. Travel performed at the direction of the U.S. Government.

Overseas Assignment. Assignment outside of the 50 States composing the United States and its possessions and territories.

Regular Contact. Contact by DIA personnel whose official duties require repetitive interaction with a foreign government representative; an office, establishment, or entity of a foreign country; or other foreign national representing said foreign government or country.

Risk-of-Capture Briefing. Advisories that alert personnel as to what may be expected in the way of attempts to force or trick them to divulge classified information if captured or detained, and advisories that offer suggested courses of action personnel should follow to avoid or limit such divulgence. These advisories include instructions and advice for advance preparation of innocuous, alternate explanations of duties and background.

Suspicious or Unusual Conditions or Incidents. When a person without need-to-know poses questions that go beyond the bounds of innocent curiosity or normal business inquiries; expresses persistent interest about employment, assignment, or sensitive national security matters; or seeks illegal or unauthorized access to classified or sensitive information.

Travel Debriefing. A means of collecting and assessing pertinent security and counterintelligence information from returning travelers that could impact future travelers or national security.

Unofficial Contact. Interaction by DIA personnel with foreign nationals or groups during social, personal, or private-type activities. Activities include friendly conversations, partying, and conduct of intimate affairs, interests, or activities.

Unofficial Foreign Travel. Travel undertaken by an individual without official, fiscal, or other obligations on the part of the U.S. Government.

ENCLOSURE 9

Questions About Foreign Contact Policy

Please note that the following questions are to be used as an aid. Employees must read and familiarize themselves with the entire foreign contact policy. Employees are encouraged to review the following 15 questions. Clarifications or policy references to the questions may be found at the paragraph(s) cited after each question.

... Official Contact with Foreign Government Representatives:

1. If I work within the NCR, AFMIC, or MSIC, and my duties require regular contact with a foreign government representative, to whom do I report that contact? (9.b.(1))
2. If I work beyond the NCR, AFMIC, or MSIC, do I report all official contact with a foreign government representative?
(9.b.(2))
3. Whom do I contact, when I receive an invitation to an official function hosted by a representative of a foreign government? (9.b.(3))
4. Whom do I contact, when I extend a reciprocal official invitation to a foreign government representative? (9.b.(5))
5. When my duties do not normally require regular contact with a representative of a foreign government, to whom do I report intended contact with or a planned visit to any foreign

diplomatic establishment (whether for official or unofficial reasons)? (9.b.(6))

6. What do I do when an official contact becomes unofficial and continuing in nature? (9.b.(9))

... Unofficial Foreign Contact

A "yes" answer to any of the following questions means the contact must be reported to DAC-3D through the reporting channels specified in this regulation and related guidance.

1. Is a foreign national seeking access to classified and/or sensitive information; i.e., details about my workplace, responsibilities, activities, and/or coworkers' identities, responsibilities, or activities? (9.c.(3)(a))
2. Is the foreign national associated with a foreign intelligence service; a terrorist or narcotic group; or an indigenous group active in promoting insurgency, war, or civil disturbances, or other act of aggression? (9.a.(1))
3. Is the foreign national a foreign diplomatic corps employee or a non-U.S. citizen of an international organization? (9.c.(3)(b))
4. Does my relationship with a foreign national involve bonds of affection and/or personal obligation; i.e., close association or a significant business or financial relationship? (9.e.) and (9.c.(3)(d))
5. Do I share private time together with the foreign contact in any setting where sensitive personal or professional information is discussed; i.e., marital or family difficulties or problems; financial difficulties or concerns; personal or family medical problems; or personal or professional aspirations or frustrations? (9.c.(3)(a)1-2)
6. Has the nature of a previously reported and approved relationship significantly changed? (9.a.(3))
7. Is the foreign national an au pair, roommate (to include an individual who rents a room or apartment in the my residence), foreign exchange student, or live-in maid? (9.e.(3))
8. Do foreign contact reporting requirements differ for personnel whose duties "require regular contact," whose duties "normally include contact," or whose duties are of a support nature? (9.d.(1)-(3))
9. Are events reportable that involve interface with military counterparts during conduct of joint training exercises, emergency relief operations, or multi-national military operations? (9.d.(6))

WHEN IN DOUBT, REPORT!!!

Instruction

Defense Intelligence Agency

DEFENSE INTELLIGENCE AGENCY
WASHINGTON, DC 20340-5100

DIAT 5240.005
28 Sep 2012
OPR: DA

Reporting Foreign Contacts

References:

- (a) DIA Regulation 50-17, "Reporting Foreign Contact and Foreign Travel," 12 January 2000 (canceled)
- (b) DoD Directive 5240.06, "Counterintelligence Awareness and Reporting," 17 May 2011
- (c) DCID 1/20, "Travel & Assignment of Personnel with Access to SCI," 29 December 1991
- (d) DIA Instruction 5230.003, "Visits, Assignments and Exchanges of Foreign Representatives," 12 May 2011
- (e) DHE Manual 3301.001, Volume I, "Collection Requirements, Reporting, and Evaluation Procedures (U)," Change 2, 1 February 2012

1. Purpose.

1.1. Replaces Reference (a).

1.2. Implements References (b) and (c) which establish reportable contacts and levy punitive and disciplinary actions for failure to report this information. Reporting foreign contacts supports the Defense Intelligence Agency (DIA) Insider Threat Program by helping reduce the opportunity for recruitment or exploitation of DIA affiliates.

1.3. Applies to all DIA affiliates. DIA affiliates assigned or attached to another Department of Defense (DoD) component (such as combatant commands) or other United States government agency shall comply with the reporting requirements established in this Instruction, as well as the applicable reporting requirements of that organization. Application of this Instruction to contractors shall be included in appropriate contractual mechanisms.

2. Definitions – see Enclosure 1.

3. Responsibilities.

3.1. The Directorate for Mission Services (DA), Chief, Security and Counterintelligence Office shall:

- 3.1.1. Implement the DIA foreign contact reporting program.
- 3.1.2. Provide day-to-day oversight and management of the foreign contact reporting program.
- 3.1.3. Provide policy interpretation and guidance on foreign contact reporting matters.
- 3.1.4. Collect, store, analyze, and investigate foreign contact data for security and counterintelligence (CI) purposes.
- 3.1.5. Provide initial and continuing security and CI awareness.

3.2. The DA Office of Enterprise Operations shall receive, through the DIA Situation Center, after-hour foreign contact reporting from DIA personnel and elements, and provide the reporting to the DA Security and Counterintelligence Office duty officer.

3.3. Deputy Directors for (DDFors), special office chiefs, and combatant command directors of intelligence shall ensure assigned personnel are informed of their responsibility to report foreign contacts.

3.4. Affiliates shall:

- 3.4.1. Report foreign contacts in accordance with paragraph 4.
- 3.4.2. Participate in interviews and debriefings as directed by the DA Security and Counterintelligence Office.
- 3.4.3. Attend defensive security briefings prior to initial foreign travel and annually thereafter, if there is continued travel.
- 3.4.4. Report known or suspected violations of this Instruction to the DA Security and Counterintelligence Office.

4. Procedures.

4.1. Unique responsibilities associated with DIA employment require affiliates to avoid associations with foreign nationals which negatively reflect on their judgment, discretion, or integrity.

4.2. DIA affiliates are required to report foreign contact, and DIA is obligated to monitor, foreign contacts for real or potential security or CI risks to its personnel, operations, information, or property. Monitoring helps determine if a contact, encountered anywhere in the world, is affiliated with foreign intelligence entities, a terrorist group, etcetera.

4.3. Casual contacts do not need to be reported unless the relationship with the foreign national changes or criteria below applies.

4.4. Any suspicious or unusual contact with any foreign national by a DIA affiliate must be reported within 24 hours to the DA Security and Counterintelligence Office whether encountered during official or unofficial activities. Examples include, but are not limited to:

4.4.1. Questions beyond the bounds of innocent curiosity or normal business inquiries;

4.4.2. Persistent interest in employment, assignment, or sensitive national security matters;

4.4.3. Illegal or unauthorized access to, or attempts to obtain, classified or controlled unclassified information, proprietary information, technology or information systems, either within or outside the scope of the DIA affiliate's official duties.

4.5. Affiliates who have contact with foreign nationals of a close or continuing nature shall report that contact.

4.6. DIA civilians attending service or other schools or on joint duty assignments without access to the Joint Worldwide Intelligence Communication System (JWICS) or the Secret Internet Protocol Router Network (SIPRNet) shall report their unofficial foreign contacts upon return to a DIA billet within five business days.

4.7. DIA affiliates assigned to defense attaché offices or who are in contact with foreign nationals processed by Reference (d) shall only report foreign contacts which:

4.7.1. Are not reported via another system per References (d) or (e);

4.7.2. Are close or continuous in nature; and

4.7.3. Occur once the attaché has rotated out of their defense attaché office assignment or the official visit is completed.

4.8. When unsure about the circumstances of a contact with a foreign national, the DA Security and Counterintelligence Office must be contacted to determine if a formal report is necessary.

4.9. Reporting procedures.

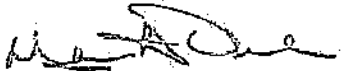
4.9.1. The electronic Foreign Contact Reporting form on DA's Joint Worldwide Intelligence Communication System (JWICS) or Secret Internet Protocol Network (SIPRNet) "Foreign Contact Reporting" page is mandatory and will be used by DIA affiliates to report unofficial foreign contacts. This report must be made within 72 hours of contact except as required by paragraph 4.4. If reporting by website is not possible, fax the information identified

in Enclosure 2 to the DA Security and Counterintelligence Office.

4.9.2. During emergencies, after normal duty hours or over weekends or holidays, reports which meet the requirements of paragraph 4.4 shall be sent directly to the DIA Situation Center.

4.10. Briefings and training. All DIA affiliates will receive instruction on the reporting requirements of this Instruction within 90 days of being sworn in as a civilian employee; being granted access to DIA spaces, or placed on DIA contract. CI awareness and reporting training will be provided via the Touchstone program for new government affiliates or from the local responsible CI office. Contractors will receive their initial instruction from their Facility Security Officer. Annual training for all personnel is required and will be provided by the local servicing CI office.

4.11. DIA affiliates who willfully fail to report, under-report, or misrepresent contact with a foreign national, or fail to report promptly a significant change in a relationship may be subject to judicial or administrative action, or both, pursuant to applicable law and regulations.



MELISSA A. DRISKO
Chief of Staff

Enclosures - 2

E1. Definitions.

E2. Format for foreign contact reporting.

Enclosure 1.

DEFINITIONS

Affiliates – All persons employed by or detailed or assigned to the Defense Intelligence Agency (DIA), including members of the Armed Forces; experts or consultants; industrial or commercial contractors, licensees, grantees, subcontractors; personal services contractors and any other category of person who acts for or on behalf of DIA, whose duty location is primarily within DIA spaces, who are authorized unescorted facility access to those spaces, or who have access to classified DIA networks or systems.

Casual contact – Foreign nationals with whom there is contact, but with no official contact or unofficial close contact, no in-depth personal or government discussion or no suspicious or unusual condition. These contacts include foreign national neighbors, teachers or trades people (cleaners, lawn services, etcetera); non-live-in domestic services; non-live-in child care providers; landlords; or tenants; limited, essentially public contacts with foreign nationals at community gatherings, sports events, clubs, ethnic restaurants, etcetera.

Close association – Close association with a foreign national is defined specifically as intent to marry, establishment of bonds of affection, friendship or obligation, cohabitation, or a continuing intimate relationship. A close association is always a continuing contact, but a continuing contact may not be a close association. A close and continuing contact is one where there is intent to continue future contact for social or personal reasons.

Contact – Any form of meeting, association, or communication, in person, or by information systems, electronic mail, social media, online games or services, radio, telephone, wire, letter, or other means, regardless of who initiated the contact, or whether it was for official (work-related) or unofficial (social, personal, or private) reasons. A contact occurs even though no official business was discussed or requested.

Continuing contact – Any second contact with a foreign national which is expected, or planned to continue, and which is not official or meets the definition of casual.

Foreign national or foreign contact – Any individual who is not a citizen of the United States by birth or through naturalization. This includes foreign students, refugees, and émigrés, even within the United States. For purposes of this Instruction, foreign national also includes an office, establishment, or entity of a foreign country. This includes "Green Card" holders or Conditional or Permanent Resident Aliens. The term "United States Person" is not synonymous with "United States Citizen" for the purposes of this Instruction.

Official contact – Interaction during the conduct of formal or official duties with a foreign government representative; an office, establishment, or entity of a foreign country; or other foreign national representing said foreign government or country. Official contact can include contact with foreign nationals at social activities funded by the United States Government for an official purpose or official functions hosted by foreign governments when the DIA affiliate attends as a representative of the United States Government.

Unofficial foreign contact — Interaction with foreign nationals or groups during social, personal, or private-type activities not for an official purpose of the United States Government. Activities include friendly conversations, social activities, and conduct of intimate affairs, interests, or activities.

Enclosure 2.

FORMAT FOR FOREIGN CONTACT REPORTING

NOTE: Do not use an unclassified system if your status with Defense Intelligence Agency is classified. Apply classification markings where appropriate.

Overall classification of information being submitted: [Enter classification markings regarding identity and/or the information being reported.]

Date:

Name:

Electronic-mail address for this communication system:

SSN:

Office symbol: [Note: Contractor personnel should list the Defense Intelligence Agency office with which they are associated as well as their company.]

Daytime phone number:

Passport number:

Expiration date of passport:

Information about the foreign contact (if known):

- Name of foreign national:
- Relationship: [Use the descriptions in the body of this issuance when possible.]
- Citizenship:
- Current residence or address:
- Gender:
- Physical characteristics (for example, age, height, weight, hair color, eye color, other distinctive characteristics (tattoos, scars, physical malady, speech pattern, etcetera))

Information about the first encounter or contact:

- Type of contact and location: [For example, was it in person, telephonic, by electronic mail, or in writing.]
- Date of contact:
- Who initiated the contact?
- Circumstances:

Information about subsequent contacts:

- Indicate the frequency of contact by average number of contacts monthly or yearly since the first encounter by telephone, written mail, electronic mail, or in person.

Information about last personal contact or visit:

- Date:
- Location:
- Circumstances:

Information about last telephonic, written or electronic mail contact:

- Date:
- Circumstances:

Answer the following questions:

- Did any of the contacts result in any unusual or suspicious circumstances? If yes, please explain.
- Does the foreign national have any affiliations with any organization(s) or other group(s) whose interests are inimical to the United States? If yes, explain in detail.
- Does the foreign national have any affiliations with any criminal, subversive, or terrorist organization(s)? If yes, explain in detail.
- Can you provide additional biographic information on the foreign national if requested?
- Identify how you would characterize this relationship from the following terms whose meanings are given in Enclosure 2.
 - o Continuing Contact of a business or financial nature. (Please explain.)
 - o Close Association. (Please identify the type.)

Privacy Act of 1974 Advisement

The information on this form is requested and will be maintained in accordance with the Privacy Act of 1974. While provision of the above information is not mandatory, failure to completely fill out this form could adversely affect the timely processing of this request.

ENCLOSURE 2

13 FEB 2017

From: RDML Adrian J. Jansen
To: Commander, U.S. Fleet Forces Command

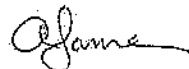
Subj: 10 February 2017 NJP

Encl: (1) Voluntary Retirement Request
(2) JANSEN JUL2010-JUL2013 EOT Award

1. As directed by you during the subject NJP, I respectfully forward the enclosures.

2. Having had the opportunity to reflect on the subject NJP, I realize that it was inappropriate of me to plead not-guilty to Specification 4. You were correct that my professional conduct in regards to my failure to report my association with Leonard Francis was sub-standard and I negligently failed to report that. I fully acknowledge that your finding of guilty with regards to the specification as well as to the other specifications was appropriate.

3. I am satisfied that the NJP was fair and the punishments imposed were just.



A. J. Jansen

ENCLOSURE 3

17 Feb 2017

MEMORANDUM FOR THE RECORD

1. This memorandum documents the proceedings of Admiral's Mast held by Commander, United States Fleet Forces Command (USFFC) on 10 February 2017 to address alleged misconduct by RDML Adrian Jansen. Commander, USFFC has been designated as the consolidated disposition authority (CDA) for all matters related to Glenn Defense Marine Asia (GDMA). Leonard Francis (GDMA's chief executive officer) has pled guilty in Federal Court in the Southern District of California to conspiracy to commit bribery and bribery. In addition, numerous active duty service members have been indicted on similar charges and several have pled guilty and been sentenced. The Department of Justice (DoJ) and the Defense Criminal Investigative Service (DCIS) refer GDMA matters to the CDA for review and disposition where the misconduct does not warrant, in their view, a federal indictment. RDML Jansen's matter was referred to the CDA for review and adjudication.

2. Present at the proceedings were ADM Philip Davidson, (Commander, USFFC), (b)(7)(C)
(b)(7)(C)
(b)(7)(C) RDML Adrian Jansen and two other observers.

3. ADM Davidson articulated RDML Jansen's rights and ensured RDML Jansen had an opportunity to review the evidence that would be considered.

4. RDML Jansen had previously, through counsel, submitted a personal statement and copies of the Foreign Affairs Manual (FAM) for consideration by ADM Davidson. In addition, at Mast, RDML Jansen provided two emails for consideration by ADM Davidson. RDML Jansen also made a statement regarding specification (4) of the charge (dereliction of duty for not reporting Leonard Francis as a foreign contact) but did not call any witnesses or present additional matters in defense, mitigation or extenuation.

5. RDML Jansen did not present any matters from his current chain of command in relation to his current performance.

6. ADM Davidson discussed with RDML Jansen the reporting requirements contained in the relevant Defense Intelligence Agency instructions related to reporting foreign contacts. ADM Davidson asked RDML Jansen if he had any additional matters to add for consideration during these proceedings and RDML Jansen did not.

7. ADM Davidson announced his findings. RDML Jansen was found guilty of violating UCMJ, Article 92, 5 specifications (three specifications of violation of a lawful order as related to the Joint Ethics Regulation and two specifications of dereliction of duty) as reflected on the charge sheet. ADM Davidson modified specification (4) to amend "willfully" to "negligently" in recognition of RDML Jansen's statement that he was not aware of an obligation to report Leonard Francis as a foreign contact. The findings for all specifications with the exception of specification (4) were in accordance with the pleas of RDML Jansen as set forth in the pre-trial agreement. ADM Davidson imposed forfeiture of \$3,750.00 pay per month for two months and a punitive letter of reprimand.

8. Admiral Davidson took a moment to thank RDML Jansen for his many years of dedicated service. Admiral Davidson dismissed RDML Jansen.

(b)(7)(C)

ENCLOSURE 4

FIRST ENDORSEMENT on Punitive Letter of Reprimand ltr 5812 CDA/071 of 17 Feb 2017

From: RDML Adrian Jansen, U.S. Navy

To: Commander, U.S. Fleet Forces Command

Subj: PUNITIVE LETTER OF REPRIMAND

1. On 17 February 2017, I received a punitive letter of reprimand from Commander, United States Fleet Forces Command. By my signature below, I acknowledge receipt of the letter and the rights detailed within. I do not wish to make a statement in response to this letter.

A handwritten signature in cursive script, appearing to read 'A.J. Jansen', written in dark ink.

A.J. Jansen



DEPARTMENT OF THE NAVY
COMMANDER
UNITED STATES FLEET FORCES COMMAND
1562 MITSCHER AVENUE SUITE 250
NORFOLK VA 23551-2487

5812
Ser CDA/071
17 Feb 2017

From: Commander, U.S. Fleet Forces Command
To: Rear Admiral Adrian J. Jansen, U.S. Navy

Subj: PUNITIVE LETTER OF REPRIMAND

Ref: (a) Article 15, UCMJ
(b) NAVPERS 1626/7 Report and Disposition of Offenses of 10 Feb 17
(c) Para. 5 of Part V, MCM (2016 ed.)
(d) JAGMAN 0114

1. A Department of Justice-led investigation revealed evidence of your improper acceptance of gifts from Glenn Defense Marine Asia (GDMA) and Mr. Leonard Francis, President of GDMA, and dereliction of duty as it related to reporting foreign contacts and gifts received while assigned as the Naval Attaché to Indonesia from on or about June 2010 through June 2013. You were allowed to review this information and advised of your right to refuse nonjudicial punishment (NJP) in accordance with reference (a). You elected to waive that right and accept NJP.

2. Reference (b) documents your NJP of 10 February 2017. At Admiral's Mast, based on the evidence presented, you were found guilty of violating Article 92 of the Uniform Code of Military Justice, five specifications. You were awarded a punitive letter of reprimand and required to forfeit \$3,750.00 pay per month for two months.

3. I found you guilty of several violations of the Uniform Code of Military Justice (UCMJ); specifically, that:

a. You violated a lawful order the Joint Ethics Regulation as implemented within the Department of Defense when you accepted gifts from GDMA and Mr. Francis, a defense contractor and prohibited source, in excess of ethical limits on 7 December 2011, 20 October 2012 and 19 June 2013 in the form of lavish meals and two bottles of wine;

b. You were negligently derelict in the performance of your duties when you failed to report contacts with Mr. Francis, a foreign national; and

c. You were willfully derelict in the performance of your duties when you failed to report acceptance of gifts from Mr. Francis and GDMA, a foreign contact.

Subj: PUNITIVE LETTER OF REPRIMAND

4. Your actions were unprofessional, reflected poorly on the U.S. Navy, and compromised your integrity and standing as a naval officer.
5. Pursuant to references (a), (b), and (c) you are hereby reprimanded for the conduct described above.
6. Pursuant to an agreement regarding this matter, you have waived your right to appeal this action to the next superior authority, the Vice Chief of Naval Operations under the provisions of references (a) through (d).
7. In all communications concerning this action, you are directed to state the date of your receipt of this letter. Unless withdrawn or set aside by higher authority, a copy of this letter will be placed in your official record at Navy Personnel Command. You may forward within 15 days after receipt of this letter of reprimand a statement concerning this letter for inclusion in your record.
8. If you do not desire to submit a statement, you shall so state in writing within five days. You are advised that any statement submitted must be couched in temperate language and shall be confined to pertinent facts. Opinions shall not be expressed nor the motives of others impugned. Your statement may not contain countercharges. Your reporting senior may note this letter in your next fitness report.


P. S. DAVIDSON

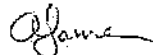
ENCLOSURE 5

10 February 2017

From: Rear Admiral (lower half) Adrian J. Jansen, 0913/1710, USN
To: Secretary of the Navy
Via: (1) Commander, U.S. Fleet Forces Command 1211-
(2) Flag Officer Management and Distribution
(3) Chief of Naval Personnel
(4) Vice Chief of Naval Operations
(5) Chief of Naval Operations

Subj: REQUEST FOR VOLUNTARY RETIREMENT

1. Having completed over 33 years of active service, I request transfer to the Retired List to be effective on the first day of August 2017.
2. I do not intend to request permissive TDY but intend to request 68 days separation leave. Also I plan to depart my current position on 25 May 2017.
3. I have read and thoroughly examined DOD Directive 5500.7R concerning pre- and post-retirement standards of conduct and employment activities. I further understand that I may direct any questions to my area ethics counselor or the Office of the Judge Advocate General (Code 13).



A. J. JANSEN

ENCLOSURE 6

Page 294 redacted for the following reason:

Announcement to Department of Defense - Referred to: Defense Intelligence Agency



THE UNITED STATES OF AMERICA

TO ALL WHO SHALL SEE THESE PRESENTS, GREETING:

THIS IS TO CERTIFY THAT
THE SECRETARY OF DEFENSE
HAS AUTHORIZED THE AWARD OF THE

DEFENSE MERITORIOUS SERVICE MEDAL

TO
CAPTAIN ADRIAN J. JANSEN
UNITED STATES NAVY

FOR
EXCEPTIONALLY MERITORIOUS SERVICE
FOR THE ARMED FORCES OF THE UNITED STATES
JULY 2010 TO JULY 2013

GIVEN UNDER MY HAND THIS 15TH DAY OF FEBRUARY 2013

DEFENSE INTELLIGENCE AGENCY
COMMAND OR OFFICE



David G. Leatherwood
DAVID G. LEATHERWOOD, SES
DIRECTOR FOR OPERATIONS
SECRETARY OF DEFENSE



**Citation to Accompany the Award of
The Defense Meritorious Service Medal
to**

ADRIAN J. JANSSEN



Captain Adrian J. Jansen, United States Navy, distinguished himself by exceptionally meritorious service as American Liaison United States Naval Attaché, United States Defense Attaché Office Jakarta, Indonesia, Directorate for Operations, Defense Intelligence Agency, from July 2010 to July 2013. Captain Jansen advanced strategic United States interests in the world's most populous Muslim nation, helping to shape United States foreign policy with respect to Overseas Contingency Operations with this critical nation. He demonstrated equally astute leadership skills in building Defense Attaché Office teamwork, supporting quality of life and setting an environment that fosters cooperation while operating under constant threat of attack by al-Qaeda linked Jemaah Islamiyah. Captain Jansen is an extraordinary Naval Attaché, skilled diplomat and proven leader. He has served for the past three years with total dedication and distinction, garnering the highest respect of those he works with. The distinctive accomplishments of Captain Jansen reflect credit upon himself, the United States Navy, the Defense Intelligence Agency, and the Department of Defense.



BOARD OF INQUIRY REPORT
IN THE CASE OF
RDML ADRIAN J. JANSEN, USN, (b)(6), (b)(7)(D) 1710

PART I

The Board of Inquiry makes the following findings:

BY A VOTE OF			THE PREPONDERANCE OF EVIDENCE		THE SPECIFIED REASON FOR SEPARATION
			SUPPORTS	DOES NOT SUPPORT	
3	to	0	✓		Misconduct - Your commission of military offenses as evidenced by your wrongfully accepting multiple dinners and gifts from Leonard G. Francis, the owner of Glenn Defense Marine Asia and a prohibited source.
3		0	✓		Additionally, your negligently failing to report contacts with Francis, and willfully failing to report gifts received from Francis.
3	to	0	✓		Substandard Performance - Your inability to maintain adequate levels of performance as evidenced by your failure to conform to prescribed standards of military deportment in your relationship with Leonard G. Francis.

PART II

Based on the findings in PART I, the Board states the following:

2	11	The respondent is recommended for separation from the Naval Service for the specific reason(s) as indicated in PART I. (Proceed to PART III)
1	1	That although the reason(s) specified in PART I are supported by the evidence, the respondent is not recommended for separation. (Proceed to PART IV)
		That none of the reasons specified in PART I are supported by sufficient evidence presented to warrant separation for cause. (Proceed to PART IV)

Encl (1)

PART III

Based on the guidance in enclosure (5) of SECNAVINST 1920.6C, the Board recommends the following characterization of service:

3	111	Honorable
		General (Under Honorable Conditions)
		Other than Honorable Conditions

PART IV

Based on the above action this case is referred to Secretary of the Navy pursuant to paragraph 13 of enclosure (8) of SECNAVINST 1920.6C.

(Rank, Full Name, Designator, Signature)

[Signature], VADM ANDREW L. LEWIS, 1310
Senior Member

[Signature], RADM RONALD A. BOXTON, 1110
Member

[Signature], RADM DEBBIE H. KAHLMANN 1120

(b)(6), (b)(7)(C)

JAGC, USN

COUN

(b)(6), (b)(7)(C)

Attorney
JAGC, USN, Detailed Counsel

Note: A non-concurrence statement by any minority member must be submitted in accordance with SECNAVINST 1920.6C, enclosure (8), paragraph 12d. Use the space below:

I felt the seriousness of the offense was mitigated through the long period of honorable and faithful service.

Bob By

Member